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MONKS, LEANDER JOHN, 1843-
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COURTS AND LAWYERS OF
INDIANA





C. V. Morton

Courts and Lawyers of Indiana

LEANDER J. MONKS, LL. D.

Editor-in-Chief

LOGAN ESAREY, Ph. D.

ERNEST V. SHOCKLEY, Ph. D.

Editors

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CHAPTER XIII.
ATTORNEY-GENERALS.

INDIANA TERRITORY.

The office of attorney-general was created by the Legislature of the Northwest Territory, with the act of December 19, 1799. When the Northwest Territory was divided by the act of May 7, 1800, the newly organized Indiana territory adopted, among other laws, the one providing for an attorney-general. During the territorial period of Indiana (1800-1816) there was no specific law adopted by the Governor and Judges or by the Legislature providing for an attorney-general, so it is very evident that the four attorney-generals appointed between 1800 and 1816 held their office by virtue of the act of Decembed 19, 1799.

The appointment of the first three of the attorney-generals during this period (1800-1816) is given in the Executive Journal of Indiana Territory, but the appointment of Elijah Sparks, the last one to hold the office while Indiana was a territory, is, for some reason, not mentioned in the Executive Journal. It seems evident that Sparks was so appointed, if the *Vincennes Western Sun*, in its issue of August 21, 1813, is to be believed. In this issue, the *Western Sun* makes a statement that Sparks had been appointed by the President of the United States and, if this is a fact, he must have resigned on or before September 18, 1814, since on that date he was commissioned judge of the Third Judicial circuit of Indiana Territory. The records in the secretary of state's office do not disclose the appointment of Sparks, nor, in fact, of any attorney-general after Thomas Randolph. The four attorney-generals of Indiana Territory, with the dates of their incumbency, are as follows:

herent to insert in this connection the provision of this article in full. It follows (Revised Statutes 1843, page 640):

Sect. 100. It shall be the duty of the prosecuting attorney of the judicial circuit of which the county of Marion shall form a part, to appear, by virtue of his office, on behalf of the state of Indiana, as attorney for the state, and superintend, prosecute and defend all indictments, pleas, suits, matters, and proceedings whatsoever, which may be appealed or brought into the Supreme Court by writ of error or otherwise, in which the state is a real party, or has any interest.

Sect. 101. In any matter or suit specified in the preceding section, the attorney who may have prosecuted or defended the same on the part of the state in the court below, may, with the consent of the Supreme Court, be associated with such attorney for the state, in the prosecution or defence of such matter or suit, or he may, with the consent of the attorney for the state in the Supreme Court, and with leave of such court, have the sole management and control of such case; and then such attorney for the state shall be exonerated from all further attention to the same.

Sect. 102. In case of the absence of the attorney for the state, the Supreme Court may appoint an attorney to supply his place, who shall receive such compensation therefor as to the court shall seem reasonable, to be drawn from the state treasury on the allowance of the court, and shall be deducted from the salary of such attorney for the state, which he is authorized to receive for his services as such attorney.

Sect. 103. Such attorney for the state, whenever requested by the governor, secretary of state, treasurer of state or auditor of public accounts, shall prepare drafts for contracts, obligations, and other instruments which may be wanted for the use of the state; he shall also, when required by any of said officers, give opinions and instructions upon any legal question which may arise in the performance of any of the duties of any such officers.

1851-1915.

The Constitution of 1851, like that of 1816, made no provision for the office of attorney-general, nor did the Legislature make any provision for the prosecutor of the circuit to which Marion county was attached to handle the suits of the state. The office of attorney-general came into existence as a result of the act of February 1, 1855, the act providing that it should be filled by the qualified voters of the state. The General Assembly, on March 5, 1855, appointed James Morrison to fill the office until the next general election.

The act of 1855 creating the office did not specify in detail its duties and made no provision for the attorney-general to submit a report. An act passed June 3, 1861, defined the duties of the office, but it was still thought unnecessary to ask the attorney-general to make a report to the governor or Legislature. It was not until March 10, 1873, that the Legislature passed an act requiring the attorney-general to write out his opinions and submit them to the governor. This act provided that the attorney-general should give a written opinion in certain cases and further required him to keep a record of all the moneys collected by the office and make a report to the secretary of state on November 1 of each year. An annual report was required from 1873 until 1885, when, by the act of April 13 of that year, the attorney-general was required to submit a biennial report only.

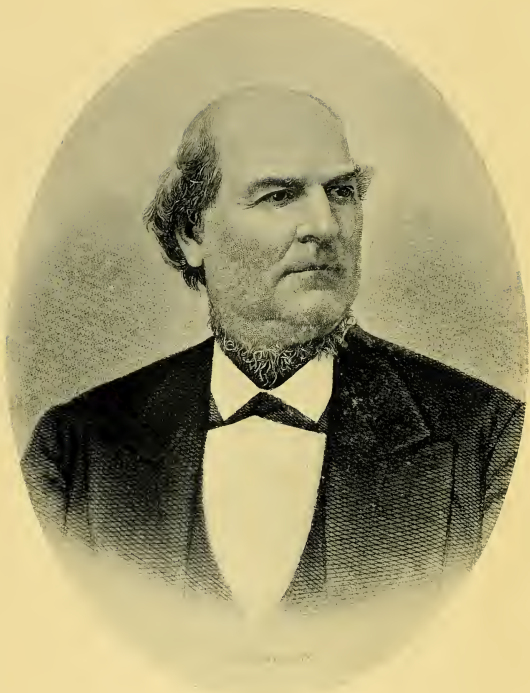
The following table shows in detail where the annual reports of the attorney-general from 1873 to 1885 may be found:

- 1873 ----Documentary Journal, 1873—No. 4.
- 1874 ----Documentary Journal, 1874-75—No. 9.
- 1875 ----Documentary Journal, 1875—No. 13.
- 1875-76__Documentary Journal, 1876-77—No. 8.
- 1877-78__None issued.
- 1879-80__Documentary Journal, 1880—No. 4.
- 1881-82__Pamphlet giving official opinions only.
- 1883-84__Documentary Journal, 1884—No. 6.

Since 1885 the biennial reports of the attorney-general have been issued in a separate volume, although in some cases they have been issued in two volumes.

The next legislative act touching the office of the attorney-general was passed March 5, 1889. This act made the attorney-general responsible for the prosecution and defense of all suits instituted by or against the state and also required that he represent the state in all criminal cases in the Supreme and Appellate courts, and defend all suits brought against the state officers.

The present salary of \$7,500 per year was fixed by the act of March 11, 1895, the same act specifying that the deputy attorney-general should be paid \$1,800 and the second deputy attorney-general \$2,400. The attorney-general, as well as both



J. M. Donald

of his deputies, was allowed actual traveling expenses when traveling on business connected with the office. From the creation of the office in 1855 until 1909, the attorney-general was allowed fees in certain cases, but by the act of March 4, 1909, the attorney-general was required to turn over moneys collected by the office to the general treasury of the state.

There have been twenty-two attorney-generals since the office was created in 1855 and it is to the credit of the voters of the state that well qualified men have uniformly been chosen to fill the office. A brief sketch of all the incumbents of this office is given in the succeeding paragraphs.

James Morrison was born in Ayrshire, Scotland, in 1796. He came to this country with his parents when a boy and settled at Bath, New York. He secured a limited elementary education and studied law under William B. Rochester. When admitted to the bar he moved to Indiana and located in Charleston, Clark county, where he practiced for ten years. In 1828 he was elected secretary of state and moved to Indianapolis. Later he was Circuit Judge, and was president of the old State Bank for ten years. He was the first attorney-general and served by appointment from March 5, 1855, to December 17, 1856. He died on March 20, 1869.

Joseph Ewing McDonald, attorney-general of Indiana from 1856 to 1860, was born in Butler county, Ohio, August 29, 1819. His father died when he was an infant and his mother later married John Kerr. The family moved to Montgomery county, Indiana, in 1826 and it was here that McDonald received such education as the public schools and Wabash College afforded. As a youth he was apprenticed to a saddlemaker and worked at the trade for six years. During this time he read widely in the library of Dr. Isaac B. Camby and laid the foundation for his future career. In 1840 he worked on the old Wabash & Erie canal and during part of the same year was a student at Asbury University at Greencastle. In 1842 he began to read law with Zebulon Baird at Lafayette and the following year was admitted to the bar and at once elected prosecuting attorney, being re-elected two years later. When thirty years of age he was elected to Congress and served one term (1849-1851). In 1856 he was elected attor-

nèy-general of the state and was re-elected at the expiration of his first term. In 1859 he formed a partnership with Addison L. Roache, who had just resigned from a seat on the Supreme bench. In 1864 McDonald made an unsuccessful race for governor against Oliver P. Morton. The Legislature elected him United States senator in 1875 to succeed Daniel D. Pratt, but he was defeated six years later by Benjamin Harrison. In the campaign of 1884 he was one of the prominent candidates before the Democratic national convention, but was defeated by Grover Cleveland. The last fifteen years of his life he practiced law in Indianapolis in partnership with John M. Butler. He died on June 21, 1891.

James G. Jones was born at Paris, Kentucky, July 3, 1814, and came with his parents to Vanderburg county, Indiana, in 1819, settling in Union township. His education was confined to the subscription schools of his community. By dint of hard work he became a lawyer. He was county recorder and also served as county surveyor. In 1840 he was city attorney of Evansville, and at one time served as town trustee. He was the first mayor of Evansville and in 1850 was re-elected to a second term. In 1860 he was elected attorney-general, but resigned in 1861 to become colonel of the Forty-second Regiment, Indiana Volunteer Infantry. Later he was provost marshal of the state and head of the recruiting bureau. At the close of the war he resumed the practice of law. In 1869 he was appointed by Governor Baker as judge of the Fifteenth judicial circuit. His death occurred on April 5, 1872.

John Palmer Usher was born in Brookfield, New York, January 9, 1816. He came to Indiana when a young man, studied law and was admitted to the bar. In 1850 he was elected to the Legislature and on November 10, 1861, was appointed attorney-general to fill out the unexpired term of James G. Jones. On March 20, 1862, he was appointed first assistant secretary of the interior in Lincoln's cabinet, and on the resignation of Caleb B. Smith, succeeded him as head of the department on January 8, 1863, holding the office until he resigned, May 15, 1865, to become attorney for the Union Pacific Railroad. He died in Philadelphia, Pennsylvania, April 13, 1889.

John F. Kibbey was born in Richmond, Indiana, May 4, 1826, and was the son of John C. and Mary (Espy) Kibbey. He received his rudimentary education under the instruction of his father, and at the age of nineteen entered Miami University, at Oxford, Ohio, where he remained three terms. In 1849 he began the study of law under Oliver P. Morton and was admitted to the bar in 1852, forming a partnership with his preceptor, which relation continued until Morton was elected lieutenant-governor of Indiana in 1860. While studying law Kibbey served as surveyor of Wayne county and was re-elected to that position, serving until 1856. On March 19, 1862, Kibbey was appointed attorney-general of the state to fill the vacancy caused by the resignation of John P. Usher and served until November 3, 1862, when he was succeeded by Oscar B. Hord. In 1863 Kibbey was appointed military commander of his congressional district to raise volunteers for the war and provide for their maintenance until mustered into the service of the United States. In 1865 he was appointed judge of the Wayne county Common Pleas court, and held the office by subsequent re-election until 1873, when the court was abolished. In 1873 he was elected judge of the Circuit court of Wayne county and served until 1885.

Oscar B. Hord was born at Maysville, Kentucky, August 31, 1829, and was the son of Francis T. Hord, a lawyer and judge of a Kentucky Circuit court. Oscar B. Hord read law in his father's office and, when twenty years of age, located at Greensburg, Indiana. In 1852 he was elected prosecuting attorney. He formed a partnership with Colonel Gavin, of Greensburg, and together they prepared "Gavin & Hord's Statutes". In 1862 he was elected attorney-general of the state and upon retiring from the office in 1864 he formed a partnership in Indianapolis with Thomas A. Hendricks and Samuel E. Perkins. Later A. W. Hendricks and Conrad Baker were associated with this firm. Hord died on January 15, 1888.

Delano Eccles Williamson was born in Florence, Boone county, Kentucky, August 19, 1822, and was the son of Robert and Lydia (Madden) Williamson. His parents moved to Covington, Kentucky, when he was a child, and in 1833 moved to Vermilion county, Illinois, where he remained until his nineteenth year. He attended the district schools and in 1841

went to Greencastle, Indiana, with the idea of entering college, but changed his plans and went to Bowling Green, the county seat of Clay county, to work in the county clerk's office. There he remained for two years, studying law during his leisure moments. Williamson returned to Greencastle in 1843, where he continued his studies in the office of Eccles & Hanna and soon afterward was admitted to the bar. Locating in Clay county, he practiced until 1850, when he was elected to the Legislature. He removed to Greencastle in 1853, and ran for the Legislature on the Democratic ticket, but was defeated. At the outbreak of the Civil War he was a strong Union man and allied himself with the Republican party. In 1864 he was elected attorney-general and held the office for six years.

Bayless W. Hanna was born in Troy, Ohio, March 14, 1830. He was the son of James and Nancy (Tilford) Hanna. In 1836 the family removed to Crawfordsville, Indiana, where James Hanna became one of the founders of Wabash College, in which institution his son was educated. After leaving college in 1852, Hanna entered the law office of Joseph E. McDonald and afterward studied under Wilson & McDonald. On account of failing health, he went to Natchez, Mississippi, where, after finishing his studies under Josiah Winchester, he was examined and admitted to the bar in 1855. Returning to Crawfordsville, he was elected prosecuting attorney in 1856. In 1857 he opened a law office and established his home in Terre Haute. In 1862 he was elected to the lower house of the Indiana Legislature; in 1864 he went to the Senate, and in 1870 was elected attorney-general. Hanna served as attorney-general from November 3, 1870, to November 6, 1872.

James C. Denny, attorney-general of Indiana from 1872 to 1874, was born in Knox county, Indiana, August 8, 1829. His father came from Kentucky and his mother from Tennessee. Denny was educated in the common schools of Knox county, in private schools and at the Vincennes University. His earlier years were spent on the farm, but when about twenty-one he entered a store and clerked for four years. During the last two years he read law at night, and then, as deputy county clerk, he read law two years longer. Soon afterward he was admitted to the bar and began practice with Samuel

Judah. The partnership lasted six years. Denny became judge of the Circuit and Common Pleas courts of Knox county prior to his election as attorney-general of Indiana in 1872.

Clarence Augustus Buskirk was born at Friendship, Allegany county, New York, November 8, 1842, and was the son of Andrew C. and Diantha (Scott) Buskirk. He attended Friendship Academy until seventeen years of age, and afterward became a student in the University of Michigan. He studied law in the office of Balch & Smiley, at Kalamazoo, Michigan, attended a course of law lectures at Ann Arbor, and was admitted to the bar in 1865. Coming to Indiana in 1866, he located at Princeton. He was elected to the Legislature in 1872. In 1874 he was elected attorney-general and was re-elected in 1876, occupying the office from November 6, 1874, to November 6, 1878. In recent years he has spent considerable time as a lecturer for the Church of Christ, Scientists.

Thomas Wheeler Woollen was born in Dorchester county, Maryland, April 26, 1830, and was the son of Edward and Anna (Wheeler) Woollen. He worked on his father's farm until 1845, when he moved to Baltimore. In 1848 he came to Indiana and located at Madison. He served as deputy county clerk in Jefferson county and also as deputy treasurer. In 1856 he left Madison and entered the clerk's office at Vernon, in Jennings county. Meantime he had been studying law and, after a brief residence at Vernon, he moved to Franklin, and, in connection with Jephtha D. New, opened a law office in that city. In 1862 he was elected to the Legislature from Johnson county, and in 1868 was elected judge of the Common Pleas court, which office he held for two years, resigning to take charge of the First National Bank, of Franklin. In 1870 he resumed the practice of law and in 1872 was re-elected to the Legislature. In 1878 he was elected attorney-general to succeed Clarence A. Buskirk, and served one term.

Daniel Pratt Baldwin, attorney-general of Indiana from 1880 to 1882, was born in Madison county, New York, in 1837. He was educated in the public schools, Cazenovia Academy and Madison University. He graduated from the Columbia Law School in 1860. Shortly afterwards he moved to Loganport and became a partner of his uncle, Daniel D. Pratt. In

1870 Baldwin was elected to the vacancy in the court of Common Pleas, and later was re-elected. In 1877 Madison University conferred upon Judge Baldwin the honorary degree of Doctor of Laws. During his whole life he was much interested in literature and wrote much in the form of newspaper articles, letters and lectures. Judge Baldwin was an active worker for the Republican party in every campaign from 1860 to 1892. In 1880 he was a candidate for Republican nomination for judge of the Supreme court, but was defeated. In 1892, after a misunderstanding with President Harrison, Baldwin gave his support to the Democratic party, but later returned to the Republican ranks. He died suddenly on December 13, 1908.

Francis T. Hord was born at Maysville, Kentucky, November 24, 1835, and was the son of Francis T. and Elizabeth S. (Moss) Hord. He secured his education at the seminary of Rand & Richeson, at Maysville, where he graduated in 1853, and at once began the study of law with his father. He was admitted to the bar in 1856 and the following year located at Columbus, Indiana, where he opened a law office. In 1858 he was elected prosecuting attorney and in 1860 was appointed county attorney. In 1862 he was elected to the State Senate. Hord was elected attorney-general in 1882 and was re-elected in 1884. He was elected judge of the Ninth judicial circuit in 1892 and served until 1904. He was a brother of Oscar B. Hord, who was attorney-general from 1862 to 1864. He died at Indianapolis, March 8, 1912.

Louis Theodore Michener was born near Connersville, Indiana, December 21, 1848, and was the son of William and Mary A. Michener. His educational training was limited to the common schools of the county and one year at Brookville College. He began the study of law in 1870 with James C. McIntosh, at Connersville. When admitted to the bar in 1871 he began to practice at Brookville and the same year was appointed deputy district attorney for Franklin county, serving two years. In 1873 he removed to Winfield, Kansas, where he remained one year, and then returned to Indiana and located at Shelbyville, where he formed a partnership with Thomas B. Adams. He was elected attorney-general in 1886 and was re-elected in 1888, serving two full terms. He

has been a practicing attorney in Washington, D. C., for several years.

Alonzo Greene Smith was born in Meigs county, Ohio, September 6, 1848. His education was obtained in the common schools, supplemented with a partial course at Franklin College, Ohio. In 1867 he came to Indiana and located at North Vernon, where he was admitted to the bar two years later. In 1884 he was elected to the State Senate, and served in the sessions of 1885 and 1887, being president of the Senate during the latter session. Smith was elected attorney-general in 1890 and was re-elected in 1892, serving from November 22, 1890, to November 21, 1894.

William A. Ketcham was born in Indianapolis in 1846, and is the son of John L. and Jane (Merrill) Ketcham. He attended the public schools of Indianapolis until he was thirteen years of age and then spent two years in the schools of Germany. In 1861 he entered Wabash College at Crawfordsville and remained there until February, 1864, when he enlisted in Company A, Thirteenth Regiment, Indiana Volunteer Infantry. By successive promotions he rose to the rank of captain before he was mustered out in September, 1865. After the War he entered Dartmouth College and graduated in 1867. He then entered upon the study of law with his father and David McDonald and was admitted to the bar in 1869, beginning practice with his father and Major Mitchell. Later he was associated with Judge Newcomb and Solomon Claypool. He was elected attorney-general in 1894 and was re-elected in 1896. For the past twenty years he has been practicing law in Indianapolis.

William Lamborn Taylor was born July 16, 1850, at Wolcottville, Noble county, Indiana, and was the son of Venorris R. Taylor. He went from the common schools of his native village to Hillsdale College, Michigan, and later went to Indiana University, where he graduated with the degree of Bachelor of Arts in 1877. He then entered Central Law School at Indianapolis, and after getting the degree of Bachelor of Laws, became associated with Henry Clay Allen and Stanton J. Peele, and, later, with Floyd A. Woods. He was elected city attorney in 1885 and was re-elected in 1887 and

1889. In 1889 he was elected attorney-general and served by re-election until 1903.

Charles W. Miller was born in Floyd county, Indiana, February 4, 1863. He was the son of Jacob B. and Isabelle Miller, and attended the common schools of his native county after which he spent two years in a private school at Paoli. Later he attended the Normal College at Ladoga. He then entered the University of Michigan and graduated from the law department in 1884, after which he located in Goshen for practice. He was elected mayor of Goshen when twenty-four years old, but held no other political office until elected attorney-general in 1902. He was re-elected in 1904 and served until 1907. Since retiring from the office he has been practicing in Indianapolis.

James Bingham, attorney-general of Indiana from 1907 to 1911, was born in Fountain county, Indiana, March 16, 1861. In his youth he worked on the farm and railroad. He taught school six years, and was superintendent of Fountain county schools from 1883 to 1887. In 1891 Bingham became prosecuting attorney of Fountain and Warren counties. Since retiring from the attorney-general's office in 1911 he has been practicing law in Indianapolis.

Thomas M. Honan was born at Seymour, Jackson county, Indiana, August 8, 1867, and was the son of James and Mary (Giger) Honan. After completing the common school course, he entered Hanover College, and later, in 1889, graduated from Indiana University. In 1890 he was admitted to the bar and at once took an active interest in politics. He served three terms as prosecuting-attorney of the Forty-second judicial district, and four years as city attorney of Seymour. He was elected to the Legislature from Jackson county, serving in the sixty-fourth, sixty-fifth and sixty-sixth sessions, being speaker of the lower house in the sixty-sixth session. He was elected attorney-general of Indiana in 1910 and served four years. Upon retiring from the office in 1915, he resumed his practice in Seymour.

Richard M. Milburn was born in Daviess county, Indiana, September 24, 1866. He was educated in the public and high schools of his native county and later attended the State Normal School, from which institution he graduated in 1881.

He also attended the Columbia University Law School and graduated with the degree of Bachelor of Arts. He was admitted to the bar in 1888. He served as county attorney of Dubois county from 1903 to 1905. He taught for a time in the law department of the State University. He was elected attorney-general of Indiana in 1914 on the Democratic ticket but served less than a year. He died November 9, 1915.

Evan B. Stotsenburg was born in New Albany, Indiana, May 16, 1865. He is one of five children born to John H. and Jane F. (Miller) Stotsenburg. His father was a prominent attorney of New Albany until his death, June 7, 1909. Stotsenburg received his elementary education in the grade and high schools of New Albany. He then entered the University of Louisville and later attended Kenyon College, Ohio. He was admitted to the bar, May 17, 1886, and began practice at New Albany. He practiced with his father from 1886 until 1890, when the latter retired. Stotsenburg has since practiced alone. He represented his county in the fifty-ninth General Assembly, and was a senator from 1905 to 1913. In 1911 he was chosen president pro tem of the Senate. On November 13, 1915, he was appointed attorney-general to fill out the unexpired term of R. M. Milburn, deceased. He was nominated at the Democratic state convention in the spring of 1916 as the candidate of his party to succeed himself.

GENERAL COUNSEL TO THE PUBLIC SERVICE COMMISSION AND COUNSEL TO THE GOVERNOR.

The legislative act of March 1, 1913, which created the public service commission, provided for a general counsel for the commission, who was to serve in a similar capacity to the governor. Prior to this time the attorney-general had given legal advice to all of the state officials on affairs connected with the administration of their various offices. However, the business of the public service commission was such that it demanded an attorney to advise it constantly. The governor, from March 1, 1909, to March 1, 1913, had a special legal clerk, whose salary was paid out of a special appropriation, although there was no specific statute recognizing such

an official. The act of 1913 combined the legal duties which might be performed in behalf of the public service commission, on the one hand, and the governor, on the other, and provided for one official to serve in both capacities.

This official known in the act as "General Counsel for the Commission and Counsel to the Governor" is appointed by the governor for a term of four years at an annual salary of six thousand dollars. Burt New has filled the office since its creation.

CHAPTER XIV.

FEDERAL COURTS OF INDIANA.

A history of the courts of Indiana would not be complete without reference to the federal courts which have jurisdiction in the state. When Indiana was organized as a territory in 1800, it was provided that the President should appoint three Judges, who, with the governor, also an appointee of the President, were to constitute not only the Judiciary, but also the legislative body of the territory. During the territorial period of sixteen years the Judges all came under federal supervision.

The first United States court in Indiana was the Territorial Supreme court, whose three Judges and prosecuting attorney were appointed by the President as officers of the federal government. During the sixteen years (1800-1816) that Indiana was a territory, these Judges appointed by the President were the highest judicial body in the territory. Immediately after the Territory of Indiana was set off by the congressional act of May 7, 1800, President Adams appointed William Henry Harrison as the first governor of the newly created territory and at the same time appointed the three Judges, who, with the governor, were to constitute the judicial and legislative body of Indiana Territory. These three Judges were William Clarke, Henry Vanderburgh and John Griffin.

William Clarke served only a short time, dying suddenly on November 11, 1802, after attending but two sessions of the governor and Judges. The identity of the William Clarke who served as one of the first Territorial Judges is shrouded in more or less obscurity. He has been confused with William Clark, a brother of George Rogers Clark, who was with Lewis in the famous Lewis and Clark's expedition, and also with the William Clark who was a cousin of George Rogers Clark, and at one time surveyor of Clark county.

Upon the death of Judge Clarke, in 1802, President Jefferson appointed Thomas Terry Davis, who likewise remained on the bench until his death, at Jeffersonville, Indiana, November 15, 1807. Judge Davis also served as chancellor for the territory from March 1, 1806, until his death.

Benjamin Parke was appointed in the spring of 1808 to succeed Judge Davis. Parke had served in the ninth and tenth Congresses as a delegate from Indiana Territory and the vacancy in the Judgeship was held open until Congress adjourned in the spring of 1808. Judge Parke continued on the territorial bench until the state was admitted to the Union and was then appointed Judge of the United States District court, a position he held until his death, July 12, 1835. An extended sketch of Judge Parke is given elsewhere.

Henry Vanderburgh was born at Troy, New York, in 1760 and served in the Revolutionary War. He rose to the rank of captain in the Fifth New York Regiment, Continental Line. Shortly after the Revolution he located at Vincennes, Indiana, and married into the Racine family. When the Legislative Council was organized in 1805, President Jefferson appointed Vanderburgh as one of its members and he continued to serve until the state was admitted to the Union in 1816.

John Griffin, the third Territorial Judge appointed in 1800, was born in Virginia. Upon the organization of Michigan as a territory in 1805, President Jefferson appointed Griffin, December 23, 1805, as one of the first Judges of the new territory, his name being confirmed by the Senate on the ninth of the following month. When Judge Griffin was transferred to the Territorial court of Michigan, the President appointed Waller Taylor as his successor, and Taylor served until the state was admitted into the Union in 1816. Judge Taylor was one of the first United States senators from Indiana, and his sketch may be found in that connection.

The congressional act creating Indiana Territory provided for an attorney-general, who was to be attached to the Territorial court. The first attorney-general appointed by the governor was John Rice Jones, who received his commission January 29, 1801. Jones was born in Wales, February 10, 1757, and came to America when a young man. He was with

George Rogers Clark in the Northwest Territory as early as 1785 and appears to have been identified with the history of the territory from that time until his death. Jones resigned his position as attorney-general prior to August 4, 1804, as is evidenced by the record in the Executive Journal of Indiana Territory, which states that on that date "Benjamin Parke Esqr. was appointed and Commissioned by the Governor, attorney-General of Indiana Territory, vice John Rice Jones Resigned."

Parke held the office of attorney-general until he was appointed one of the Territorial Judges in the spring of 1808. As his successor, Governor Harrison appointed Thomas Randolph on June 2, 1808. Randolph made an unsuccessful race against Jennings as delegate to Congress in the fall of the same year. The career of Randolph was cut short by his untimely death at the battle of Tippecanoe, November 7, 1811.

As far as is known, the governor appointed no immediate successor to Randolph. In fact there is no mention in the Executive Journal of the appointment of any one to the office although the *Vincennes Western Sun* in its issue of August 21, 1813, states that Elijah Sparks had been appointed attorney-general of Indiana. It is evident that he did not fill the position very long, since the Executive Journal, under date of September 14, 1814, records that a commission was issued to him as Judge of the Third judicial circuit. Sparks evidently received his appointment from the President, as did his successor, William Hendricks, who followed him in the fall of 1814. Hendricks continued to serve as attorney-general until the organization of the first Federal court upon the admission of the state to the Union.

Indiana was organized as a separate Federal court district by the congressional act of March 3, 1817. The statute creating the court provided that the Judge should "in all things, have and exercise the same jurisdiction and powers which were, by law, given to the Judge of the Kentucky district, under an act entitled "An act to establish the Judicial courts of the United States." The act in question was the congressional act of September 29, 1789, which provided for the organization of United States courts. The Kentucky court had been given powers in addition to those prescribed by the

act of 1789, and these were, as above mentioned, in turn conferred upon the Indiana court when the latter was established in 1817. The Indiana court continued to exercise these special powers until the act of Congress, approved March 3, 1837, reduced it to the rank of an ordinary District court.

The Federal court was to meet twice each year, the first Monday of May and the first Monday of November. This court transacted very little business prior to the Civil War. While there was a great deal of public land in the state, the court was occupied chiefly in the trial of timber thieves and trespassers on the public lands. In the decade prior to the Civil War, fugitive slave cases came up quite frequently.

Some random cases will show the nature of this early legislation. The first case in Record Book I is entitled the *United States vs. Andrew Hilton*. Hilton was charged with vending and selling to a certain Charles Dewey domestic distilled liquors in a less quantity than twenty gallons at one time, without having first secured a license for selling at retail. Benjamin Parke was Judge, Moses Tabb defended and Thomas H. Blake was United States attorney. The said Hilton threw himself on the mercy of the court and the court, through its distinguished jury, John Douthit, Andrew P. Hay, Samuel L. Tate, John Carr, William Bacon, Nathan Mars, Charles B. Naylor, Thomas Given, George Graham, Edward Davis, James Bruce and John Harbison, twelve good and lawful men, found the defendant not guilty. Notwithstanding the verdict of the jury, the court added "that it be considered that there was probably cause for the said prosecution."

In May, 1818, Prosecutor Blake sued James Ward, postmaster, and William McFarland, his bondsman, of the Lexington postoffice, for money they had failed to turn over to the postmaster-general. McFarland, of "wild cat" banking fame, was not apprehended, but Ward, through his attorney, Henry P. Thornton, threw himself on the mercy of the court.

In 1817, William Bell, of Harrison county, was sued in debt for the revenue due on one hundred and fifty gallons of whisky, which he had in his possession and was using for his own private purposes without paying the revenue. Again twelve good and lawful men, to wit: Amos N. Howland, William Baird, Marston G. Clark, Nathaniel Kimball, James

Milroy, Henry DeWalt, John Lindley, Walter Pennington, David B. Rhodes, James Bruce, Edward Davis and George Grisham, found that the defendant did not owe the United States any revenue, and the court ordered him "to go hence without date." These and other similar cases show that it was not easy to secure a conviction for this kind of law-breaking. Certainly no fault can be found with these juries—on the part of those acquitted.

Daniel Bell was tried for the same offense at the same term with similar results. John Butler, of Pike county, on the other hand, was convicted and fined. There follows a score or so of cases for debt, the delinquents owing for lands.

At the November term, 1819, a libel case of *Benjamin F. Stickney vs. The Whitewater Gazette* of Brookville. The paper had charged the Indian agent, Stickney, then at Ft. Wayne, with fleecing the Indians in the usual style. The plaintiff was given a verdict.

Here is a typical case, drawn by the famous lawyer, Charles Dewey, for trespass on the case: "The United States complaint of Brazil Meek on a plea of trespass for that the said Meek, on the first day of May in the year of our Lord, 1823, did with force and arms, break and enter the domain of the United States of America, situated, etc., cut, fell and carry away divers trees, etc." The indictment covered about two thousand words. A jury of twelve men, several of statewide reputation, decided the said Meek was not guilty and he departed without day. The act, perhaps, was patent, but who could steal timber when no one recognized that it had any value?

Case after case of this kind appear and many of them were fined. In general, these cases were quickly and satisfactorily disposed of.

Turning to Record I, District Court, United States Cases, May term, 1854, one gets a glimpse into the fugitive slave period. First is an indictment against Sullivan U. Clark. This was followed by two more against the same person, all of which were quashed. Several cases in succession for concealing fugitives were quashed, presumably for lack of evidence.

The following fugitive slave case was one of the last tried by Judge Parke. It came up at the May term, 1834. Goodale Dare, of Kentucky, seemed to have located his runaway slave, a woman named Zoar, at Indianapolis. He accordingly procured a writ from Judge Parke and had Joseph Roberts, United States marshal, take the colored woman in charge. Goodale intended to take her to Kentucky to prove his title. At this point John Little, "in company with and in confederacy with certain other evil-disposed persons, with force and arms, to wit: with hands, fists, feet, knives, clubs, sticks, pistols and dirks, violently and forcibly rescued said Zoar" against the peace and dignity of the Fugitive slave law of 1793. At the last moment the plaintiff dismissed the suit and paid the cost. Goodale was, no doubt, a kidnapper.

On November 20, 1854, the grand jury returned an indictment against Benjamin B. Waterhouse. Waterhouse had harbored three persons of color, to wit: Tom, Jim and Alfred, belonging to Daniel M. Payne and Mortimer W. Roberts, of Kentucky. Waterhouse was found guilty by a jury of "forcibly and knowingly, wilfully and unlawfully, harboring and concealing Tom, Jim and Alfred." His punishment was fixed by Judge Elisha M. Huntington at one hour's confinement and a fine of fifty dollars. It is noteworthy that the jury recommended mercy.

At the same term James and John Johnson were charged with "unlawfully and feloniously passing and uttering as true to one Charles Cooper one piece of false, forged and counterfeited coin, in the resemblance and similitude of the silver coins called quarter dollars." The defendant, for there was only one, was given one year at hard labor. A second, third and fourth indictment charged Johnson with uttering counterfeit half dollars. He was found guilty and received a sentence of one year at hard labor for each of these.

During the decade from 1850 to 1860 fugitive slave, counterfeiting and postal service cases constituted the bulk of the business before the court. Mail robbery and counterfeiting cases increased in frequency throughout the period, but the fugitive slave cases diminished in number rapidly until about 1857, when they practically disappeared.

The following is the first federal grand jury on record. It

met at Corydon, May 7, 1821: John Vawter, of Vernon, was United States marshal. Joseph Bartholomew, of Columbus, was foreman, and Joseph Holman, of Brookville; Patrick Baird, of Wayne county; Enoch D. John, of Brookville; Joseph Hanna, of Brookville; John Gray; William Cotton, of Vevay; Nathan B. Palmer, of Madison; John Tipton, of Corydon, Marston G. Clark, of Salem; Samuel Chambers, of Lawrenceburg; David Robb, of Princeton, and Elisha Harrison, were the other members.

The petit jurors of the same date (1821) were Benjamin Ferguson, Lemuel Ford, Alexander Henderson, John M. Simon, Evan Shelby, Joseph Gibson, Charley Paxton, Stephen Beers, Apollis Hess, John Conner, Davis M. Hale and W. Hale. This jury heard a damage case—*James Paul vs. S. M. and Zebulon Leavenworth*—and returned the plaintiff a verdict in the amount of \$1,479.40, for debt and \$201.56, damage.

One is continually impressed with the personnel of the early grand juries of the court. The following panel was sworn in at Indianapolis, November 7, 1831: Isaac Howk (foreman), Allen D. Thom, E. E. Morgan, William C. Bromwell, Joseph Hanna, John Wishard, Benjamin V. Beckes, Joseph Wilson, Alexander F. Morrison, John Lemon, Richard Weaver, William Connor, Larkin Simms, Jesse Dailey, James L. Scott, David Jerkin, Rankin Posey, Samuel Wert and John Paggett, nineteen in all. One conversant with the early history of the state at once recognizes at least half the panel.

The following is one of the first grand juries under Judge Holman: William W. Wick, foreman; John Wilkins, James Blake, Robert Patterson, Douglass Maguire, Alfred Harrison, Alexander F. Morrison, Austin W. Morris, Nathaniel Bolton, George Porter, Nathan B. Palmer, Caleb Scudder, Samuel Henderson, William H. Wernweg, Aaron Johnson, Obadiah Harris, Moses M. Henkle, and William Puett. This grand jury sat ten days at the December term of 1836.

At the end of the May term, 1835, there appears for the last time the signature of B. Parke. In the earlier years it appears as a bold, heavy scrawl, but during the later years it shows the effect of the paralysis that afflicted the Judge during his later years. The last signature is traced out slowly and painfully.

When Horace Bassett became clerk, about 1835, this significant note was spread of record: "Ordered that it be entered of record that the appointment of the present clerk has not been made in consequence of any supposed want of qualifications or neglect of duty in the former clerk, for as far as appears to the court from an inspection of the books and papers, he has heretofore discharged faithfully the duties of his office." This statement was authorized by Judge Holman who succeeded Parke on September 16, 1835.

Here and there an interesting bit of history appears in the unpublished records of the District court. In a suit for the ejection of James Hughes by Joseph Bartholomew and others, owners of property in Clarksville, a detailed history of that ancient village is given. This suit came up at the May term, 1830. During the panic of 1837 suits on *assumpsit*, or for debt, are numerous, outnumbering all others combined.

It might be interesting to note the cost in the cases before this court. The following cases from Fee Book C, covering the period 1844 to 1848, are probably a fair average of the costs of administration of justice in the Federal court during this period. The total costs in the first case in the record were \$21.66, of which the marshal received \$1.90 and the attorney (O. H. Smith was one), \$10.00. The Judge invariably allowed the attorney \$10.00, and there is no record which shows any attorney receiving a greater or less amount. The following schedule of fees illustrates the cost of justice in this court:

Declaration of case	\$.16
Minute Docket Entry .....	.34
Bond for Cost .....	.58
Capiases .....	.67
Two Appearances .....	.16
Motion and Rule to Plead.....	.34
Filing General Issue .....	.41
Continuance .....	.43
Another Continuance .....	.43
Two Entries in Minute Docket .....	.50
Recording Verdict .....	.17
Judgment .....	.37
Filing Note .....	.08
Subpoena .....	.67

Final Record -----	4.50
Bill and Copy -----	.88
Fee of Marshal -----	12.00
Attorney's Fee -----	10.00

Indiana has been a separate United States court district for nearly one hundred years and during that time only ten Judges have sat on the bench. The first six Judges—Parke, McDonald, Huntington, Smith, White and Holman—served from the time of their appointment until their death. Gresham, who served from 1869 to 1883, resigned to become postmaster-general in President Arthur's cabinet. Woods, his successor, resigned in 1892 to become Judge of the Seventh United States Circuit court. Baker, who succeeded Woods in 1892, resigned after ten years' service on the bench. Anderson, the present incumbent, has served since December 18, 1902.

The sketches of seven of the ten Judges have been given elsewhere and it remains to notice briefly the careers of three—Huntington, Gresham and Anderson.

Elisha Mills Huntington, the youngest son of Nathaniel and Mary (Corning) Huntington, was born in Otsego county, New York, March 29, 1806. He came with his parents in 1822 to Terre Haute, Indiana, and shortly after settling in the town, began to study law in one of the lawyer's offices of the village. It seems that he must have been admitted to the bar shortly after reaching his majority, since at the age of twenty-three he was appointed prosecutor. Two years later (1831) he was elected to the Legislature and served during the sessions of 1831, 1832 and 1833. From 1830 to 1832 he appears as prosecuting attorney of the Seventh circuit. In 1837 he became President Judge of the Seventh circuit and served on the bench until he resigned to accept an appointment as commissioner of the general land office. This position he resigned in the following year upon being appointed (May 2, 1842) Judge of the United States District court of Indiana. He held the office until his death, at St. Paul, Minnesota, October 26, 1862. In 1848 Judge Huntington bought a large tract of land on the banks of the Ohio in Perry county and built a fine home on his estate. He sold the whole tract in 1858 to the Swiss Colonization Society, which immediately platted the town of Tell City on a part of it. The Judge then returned to Terre

Haute and made that city his home until his death, four years later. He married Mrs. Susan (Rudd) Fitzhugh, of Kentucky, November 3, 1841.

Walter Quinton Gresham, one of the most distinguished lawyers Indiana has ever produced, was born near Lanesville, Indiana, March 17, 1832. After receiving a common school education he became a student at Indiana University, but left before graduating and began the study of law at Corydon, Indiana. He was admitted to the bar in 1853 and practiced until the opening of the Civil War. He enlisted in 1861 and was shortly afterward made colonel of the Fifty-third Regiment, Indiana Volunteer Infantry. He was mustered out of the service with the rank of major-general. No lawyer in Indiana has ever held more prominent political positions than Gresham. He was in the state Legislature in 1860; from 1867 to 1868 he was financial agent of Indiana in New York city; on September 1, 1869, he was appointed by President Grant to the bench of the United States Circuit court for the district of Indiana; on April 13, 1883, President Arthur took him from the bench and made him postmaster-general in his cabinet; on September 24, 1884, Gresham became secretary of the treasury, but resigned this position, October 28, 1884, to accept an appointment as Judge of the Seventh judicial circuit. He served on the bench of this court until March 6, 1893, when President Cleveland appointed him secretary of state, and he served in this capacity until his death, May 4, 1895. In 1888 Judge Gresham was a candidate for the Presidency on the Republican ticket, and his defeat by Benjamin Harrison for the nomination ultimately caused him to give his allegiance to the Democratic party. In fact, he supported Cleveland in 1892 and was rewarded by being appointed secretary of state.

Albert Barnes Anderson, the present judge of the United States Federal court of Indiana, was born near Zionsville, Boone county, Indiana, February 10, 1857. He is a son of Philander and Emma A. (Duzan) Anderson. He graduated from Wabash College, Crawfordsville, Indiana, with the degree of Bachelor of Arts in 1879, and later received the degree of Master of Arts and Doctor of Laws from the same institution. He was admitted to the bar in 1881 at Crawfordsville and practiced in that city from 1881 to 1902, when

he was appointed to the Federal bench. The only other official position he held prior to his present position was that of prosecuting attorney, serving in this capacity in Montgomery county from 1886 to 1890. He has been on the bench of the District court since December 18, 1902. Judge Anderson married Rose Campbell, of Crawfordsville, November 14, 1882.

During his term of office Judge Anderson has presided over two trials which have attracted attention all over the United States. The first of these was concerned with the union labor men, structural iron workers, who were accused of the wholesale destruction of bridges and buildings in all parts of the country. Their destructive operations were confined to bridges and buildings which were being constructed in whole or part by non-union labor. The chief men in the conspiracy were the two McNamara brothers, both of whom were convicted, as well as a number of their accomplices. The other trial of national importance was that of more than a hundred politicians of Terre Haute who had been indicted for fraudulent voting. A large number of them, including the mayor of the city, the judge of the Circuit court and several of the city officials, were found guilty.

The judges of the United States District court from the time the office was created have been as follow :

- Benjamin Parke ----- March 6, 1817; died in office, July 12, 1835.
 Jesse Lynch Holman --- September 16, 1835; died in office, March 28, 1842.
 Elisha Mills Huntington May 2, 1842; died in office, October 26, 1862.
 Caleb Blood Smith ---- December 22, 1862; died in office, January 6, 1864.
 Albert Smith White ---- January 18, 1864; died in office, September 4, 1864.
 David McDonald ----- December 13, 1864; died in office, August 25, 1869.
 Walter Q. Gresham --- September 1, 1869; resigned April 13, 1883, to become postmaster-general in the cabinet of President Arthur.
 William Allen Woods -- May 2, 1883; resigned March 17, 1892, to accept an appointment by President Harrison as Circuit Judge of the United States for the Seventh circuit.
 John Harris Baker --- March 29, 1892; resigned December 14, 1902.
 Albert Barnes Anderson December 18, 1902.

UNITED STATES DISTRICT ATTORNEYS.

There have been twenty-nine United States district attorneys in the state of Indiana since it was established as a separate federal court by the act of March 3, 1817. Before the state was admitted to the Union the President had appointed two district attorneys for Indiana Territory. Elijah Sparks, the first one, was a Circuit Judge after serving for a short time as district attorney. William Hendricks, the other district attorney prior to 1816, was the secretary of the Constitutional Convention of 1816; a member of Congress from 1817 to 1822; governor of Indiana from 1822 to 1825; United States senator from 1825 until his death in 1837.

The district attorneys of Indiana during its hundred years of history have usually been men who were leaders at the bar. Many of them have not only been lawyers of state-wide reputation but also of national fame. A study of the list shows that two have been governors; five, United States senators; ten, congressmen; three, Indiana Supreme Court Judges; nine, Circuit Judges; seven, prosecuting attorneys; and a large number have served in the State Legislature. In fact, it may be said that practically all of the incumbents of this office have been eminently qualified for the position, despite the fact that the office is purely a political one. With every change of administration a new district attorney is appointed, but it is to the credit of the Presidents that they have usually chosen the best man proposed by the party in power.

A complete list of the United States district attorneys for Indiana, together with the dates of their incumbency and other official positions they have held, is given in the appended table.

Date.	Name.	Politics.	Other Official Positions.
1813-14	Elijah Sparks	Dem.-Rep.	Circuit Judge.
1814-17	William Hendricks	Dem.-Rep.	Congressman, U. S. senator and governor.
1817-18	Thomas H. Blake	Dem.-Rep.	Circuit Judge and congressman.
1818-21	Alexander A. Meek	Dem.-Rep.	Circuit Judge.
1821-29	Charles Dewey	Dem.	Prosecuting attorney and supreme Judge.

1829-33	Samuel Judah	Dem.	Representative in legislature.
1833-39	Tilghman A. Howard	Dem.	Congressman and U. S. senator.
1839-41	John Pettit	Dem.	Circuit Judge, Supreme Judge, congressman and U. S. senator.
1841-45	Courtland Cushing	Whig	Prosecuting attorney and Circuit Judge.
1845-48	Daniel Mace	Whig	Congressman.
1848-50	Lucien Barbour	Dem.	Congressman.
1850-54	Hugh O'Neal	Dem.	Prosecuting attorney.
1854-56	Benjamin M. Thomas	Dem.	
1856-58	Alvin P. Hovey	Dem.	Circuit Judge, Supreme Judge, congressman and governor.
1858-61	Daniel W. Voorhees	Dem.	Prosecuting attorney, congressman and U. S. senator.
1861-66	John Hanna	Rep.	
1866-69	Alfred Kilgore	Rep.	Representative in legislature.
1869-76	Thomas M. Browne	Rep.	Prosecuting attorney, Circuit Judge and congressman.
1876-80	Nelson Trusler	Rep.	Representative in legislature.
1880-85	Charles L. Holstein	Rep.	
1885-86	John E. Lamb	Dem.	Prosecuting attorney and congressman.
1886-87	David Turpie	Dem.	Circuit Judge and U. S. senator.
1887-89	Emory B. Sellers	Dem.	State senator.
1889-	Solomon Claypool	Rep.	Circuit Judge.
1889-93	Smiley N. Chambers	Rep.	
1893-97	Frank B. Burke	Dem.	State senator and prosecuting attorney.
1897-01	Albert W. Wishard	Rep.	State senator.
1901-09	Joseph B. Kealing	Rep.	
1909-13	Charles W. Miller	Rep.	
1913-16	Frank C. Dailey	Dem.	
1916-	L. Ertus Slack	Dem.	State senator.

UNITED STATES COMMISSIONERS.

The office of United States commissioner is filled by appointment at the hands of the District Judge, to whom the commissioners are responsible for the performance of such duties as may be assigned them. Their appointment is for four years, but they are subject to removal at any time by the District court. The first record of an appointment of a commissioner in Indiana is dated January 24, 1874, and since

that time about two hundred and sixty have been appointed in this state. Commissioners are located at convenient places in the state by the District Judge, the state not being divided into definite districts. Business may be taken before any commissioner in the state; in other words, their jurisdiction is co-extensive with the limits of the state.

The present commissioners for the District court of Indiana, with their addresses and dates of appointment, are as follow:

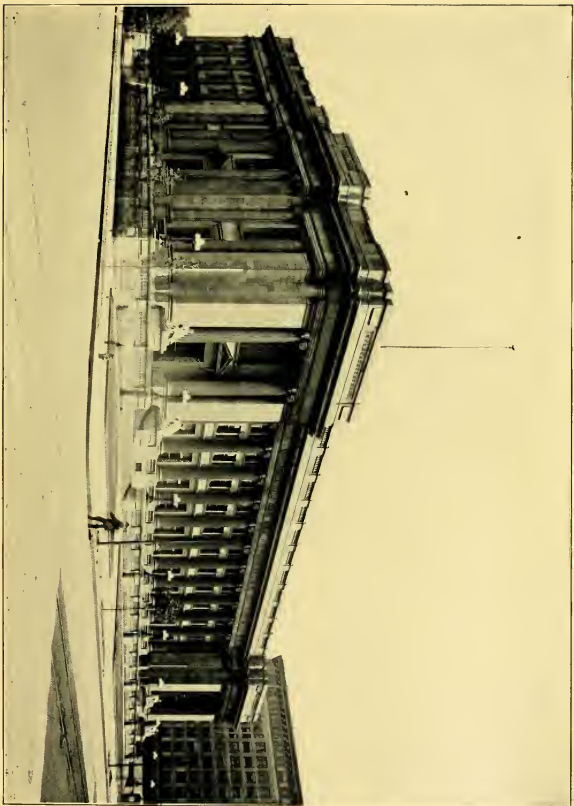
James W. Wartmann	-----	Evansville	-----	June 27, 1913
Thomas J. Logan	-----	Ft. Wayne	-----	June 27, 1913
Charles W. Moores	-----	Indianapolis	-----	September 15, 1913
Morris R. Parks	-----	Lafayette	-----	December 13, 1913
George B. Cardwill	-----	New Albany	-----	July 2, 1914
Chalmers Hamill	-----	Terre Haute	-----	April 6, 1915
Thad. M. Talcott, Jr.	-----	South Bend	-----	September 10, 1915
Paul M. Souder	-----	Logansport	-----	October 7, 1915
Charles L. Surprise	-----	Hammond	-----	October 19, 1915
Howard S. Young	-----	Indianapolis	-----	November 27, 1915

REFEREES IN BANKRUPTCY.

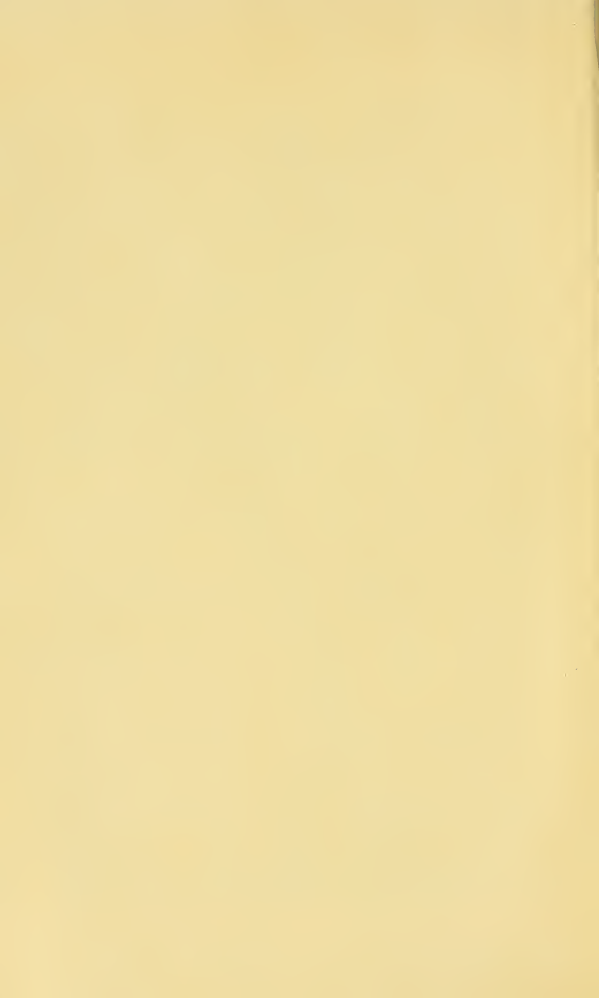
Prior to 1898 such bankruptcy cases as were cognizable by the Federal government were handled by the United States District court. The congressional act of July 1, 1898, organized in each state a number of bankruptcy court districts, Indiana being divided into fourteen referee districts. However, since the organization of this special court it has been found possible to consolidate the districts of Indiana and at the present time the ninety-two counties are divided into five referee districts.

The first district is composed of the counties of Daviess, Dubois, Gibson, Knox, Martin, Pike, Posey, Spencer, Sullivan, Vanderburgh and Warrick. Phelps F. Darby, of Evansville, has been the referee of this district since the filing of his bond on May 18, 1909.

The second and third districts, with headquarters at New Albany and Bloomfield respectively, have been vacated and the counties which were formerly attached to these two districts have been consolidated with the sixth district. The fourth district was consolidated with the sixth on August 26, 1909, and the fifth with the sixth on September 23, 1904.



F. S. CORLIER HOUSE AND POSTOFFICE, INDIANAPOLIS.



The sixth district, the largest in the state, is composed of the counties of Bartholomew, Brown, Clark, Crawford, Clay, Dearborn, Decatur, Greene, Floyd, Harrison, Hendricks, Jackson, Jefferson, Lawrence, Jennings, Johnson, Marion, Monroe, Morgan, Ohio, Orange, Owen, Parke, Perry, Putnam, Ripley, Scott, Switzerland, Vermillion, Vigo and Washington. Albert Rabb, of Indianapolis, has been the referee of the sixth district since December 31, 1908.

The seventh district was consolidated with the ninth on September 1, 1908.

The eighth district is composed of the counties of Benton, Fountain, Jasper, Montgomery, Newton, Tippecanoe, Pulaski, Warren and White. Charles A. Burnett, of Lafayette, has been referee of this district since February 20, 1909.

The ninth district is composed of the counties of Blackford, Boone, Carroll, Cass, Clinton, Delaware, Fayette, Franklin, Fulton, Grant, Hamilton, Hancock, Henry, Howard, Huntington, Lake, Laporte, Madison, Marshall, Miami, Porter, Randolph, Rush, Shelby, St. Joseph, Starke, Tipton, Union, Wabash and Wayne. Harry C. Sheridan, of Frankfort, has been referee in this district since September 7, 1908.

The tenth district was abolished June 18, 1903, and attached to the ninth. The eleventh district, with headquarters at Logansport, has been recently vacated. The last referee of the eleventh district was Dyer B. McConnell, of Logansport, who served from September 28, 1908, until the district was vacated. The twelfth and thirteenth districts, with headquarters at Hammond and South Bend, respectively, have been vacated and the counties composing them attached to contiguous districts.

The fourteenth district is composed of the counties of Adams, Allen, DeKalb, Elkhart, Jay, Kosciusko, Lagrange, Noble, Steuben, Wells and Whitley. Sol A. Wood, of Fort Wayne, has been referee of this district since May 11, 1909.

Referees in bankruptcy are appointed by the District Judge and hold their office for two years. It has been the custom in Indiana to continue the referees in office from term to term. There is no fixed salary attached to the office, the emoluments being confined to the fees which are definitely stipulated in the act establishing the office.

UNITED STATES CIRCUIT COURT.

Prior to the congressional act of April 10, 1869, all of the federal cases arising in Indiana, were cognizable either in the United States District court or in the Supreme court circuit to which Indiana was attached. It must be understood that from the adoption of the Constitution in 1789 the United States has been divided into as many circuits as there are Supreme Judges on the Federal bench. Originally the members of the Supreme bench held court in the judicial circuit to which they were assigned, but this custom was discontinued many years ago, although a judge is still assigned to a circuit, James Clark McReynolds being assigned to the Seventh.

Shortly after the close of the Civil War it was found that federal cases were increasing so rapidly that it was impossible for the Supreme court and United States District Judges to give them the proper attention.

The passage of the thirteenth, fourteenth and fifteenth amendments to the Federal Constitution and the subsequent difficulties which arose when the government attempted to enforce them, made such a rapid increase in the number of federal cases that Congress was asked to organize a new Federal court. This was done with the act of April 10, 1869, an act which provided for the appointment of special Circuit Court Judges to preside over the districts, which had formerly been in charge of the members of the Supreme court.

The first judge of the Seventh circuit, of which Indiana was a part, was Thomas Drummond, who served from his appointment, December 22, 1869, to July, 1884. Judge Drummond was born in Maine, October 16, 1809; graduated at Bowdoin College in 1830; studied law in Philadelphia and was admitted to the bar in 1833; located in Galena, Illinois, in 1837; was elected to the Legislature in 1840; was appointed Judge of the United States District court of Illinois in 1850, and when the state was divided into two United States districts in 1855, he was assigned to the Northern division. He continued to serve on this bench until he was appointed to the Circuit bench in 1869. After retiring from the bench in 1884, he lived at Wheaton, Illinois, until his death, May 15, 1890.

Upon the resignation of Judge Drummond the President

appointed Walter Q. Gresham, who took the bench on October 24, 1884. A sketch of Gresham appears elsewhere in this volume.

Upon the resignation of Judge Gresham in 1893 to become secretary of state in Cleveland's cabinet, the President appointed James G. Jenkins, on March 23 of the same year, as his successor. Judge Jenkins was born at Saratoga Springs, New York, in 1834. After receiving a liberal education in his native state, he was admitted to the bar in 1855 and two years later located in Milwaukee, Wisconsin, where he has since made his home. He was District Judge of Wisconsin from 1888 to 1893, being appointed in the latter year as Circuit Judge of the Seventh circuit to succeed Walter Q. Gresham. He served on the bench until 1905 when he retired and became the dean of the College of Law in Marquette University, Milwaukee.

In 1895 Congress provided by statute for two Judges in the Seventh judicial circuit and pursuant to this act the President appointed William H. Seaman and Christian C. Kohlsaas. Judge Seaman was born at New Berlin, Wisconsin, November 15, 1842. He was educated in the public schools; worked as a printer, 1859-1861; served in the Civil War, 1861-1864; was admitted to the bar shortly after the close of the war and practiced in Wisconsin until 1893. At that time he was appointed United States District Judge for the Eastern division of Wisconsin and presided over this court until February, 1905, when he was transferred to the United States Circuit court, where he is still serving.

Judge Kohlsaas was born in Edwards county, Illinois, January 8, 1844. After graduating from Chicago University he became a law reporter on the *Chicago Journal* and studied law in the meantime. He was minute clerk in the Cook county court in 1867 and was admitted to the bar the same year. He was in the active practice of his profession from that time until 1890, when he was elected Probate Judge of Cook county. He served on the Probate bench until 1899, when he resigned to become United States District Judge of the Northern district of Illinois. In 1905 he was appointed Judge of the Seventh United States judicial circuit and has been serving on the bench of that court since that time.

In 1902 Congress added a third judge to the Seventh circuit and on February 4, 1902, the President appointed Francis Elisha Baker to the bench where he is still serving. Judge Baker was a judge on the Indiana Supreme bench at the time of his appointment. A sketch of his career is given in the discussion of the Supreme court of Indiana.

Julian William Mack, of Chicago, was appointed Judge of the Seventh circuit in 1911 and on February 4 of the same year was assigned to the United States Commerce court. Judge Mack was born in San Francisco, California, July 19, 1866; educated in the public schools of Cincinnati; received the degree of Bachelor of Laws at Harvard in 1887; as Parker fellow of Harvard he studied in universities of Berlin and Leipzig, 1887-1890; was admitted to the bar at Chicago in 1890; professor of law in Northwestern University, 1895-1902; professor of law in Chicago University since 1902. He was Circuit Judge of Cook county from 1903 to 1911, when he was appointed Judge of the Seventh United States Circuit court.

The Federal act of March 3, 1911, provided for the abolishment of the United States Circuit courts and the transference of all suits pending in those courts to the United States District courts. All the suits which had been filed in the Circuit courts were to be disposed of in the District courts in the same manner and with the same effect as if they had been originally begun in the District courts. This act was to take effect and be in force on and after January 1, 1912 (Act March 3, 1911, c. 231, Sec. 289, 36 Stat. 1167). This act of 1911, which abolished the Circuit courts, enlarged the jurisdiction of the District courts, re-enacted the statutory provisions relating to the Supreme courts, Circuit courts of Appeal and court of Claims, and embraced the enactments establishing the Commerce court and the court of Customs Appeals and defined their respective jurisdiction, is known and cited as "The Judicial Jurisdiction Code".

In passing this act, Congress produced the most important and at the same time the most compact code of *nisi prius* and appellate jurisdiction and procedure in the history of the United States. Summed up in this act is the judicial wisdom and court experience which has been the result of nearly one

hundred and twenty-five years of our history as a nation. It is interesting and instructive to compare this epoch-making statute of March 3, 1911, with the first judiciary act of 1789. One striking fact may be observed—the endurance of many of the provisions laid down by our forefathers at the beginning of our nation's history.

Congress has exclusive right to establish, abolish or alter any part of the federal judicial system, provided that in so doing it conforms to Section I, Article 3, of the Constitution of the United States. This particular provision is very simply stated: "The judicial power of the United States shall be vested in one Supreme court, and in such inferior courts as the Congress may from time to time ordain and establish." Pursuant to this provision, Congress established the first judicial court in 1789 and during the years which elapsed between that date and 1911, hundreds and even thousands of statutes were passed by Congress relating to the judiciary. It remained for this act of 1911 to codify, to put into a succinct form, the judicial wisdom of the past century.

Ideas of law and equity, of the personal relations of man to man, of man to his government, have changed since 1789. No longer do we hang a man for stealing horses, but, on the other hand, we imprison him for treating horses cruelly. One hundred years ago the lottery was legally recognized and many of our colleges—even fair Harvard—raised money by this means to erect buildings; churches erected houses of worship and even paid their pastors by means of lotteries. Today the lottery is forbidden by law and the poor saloon keeper who raffles off a turkey finds himself in the clutches of the law. Verily, ideas of right and wrong, of what constitutes an illegal act in the sight of the law, have changed wonderfully since the first judicial act was prepared by Congress in 1789.

It is not the province of this discussion to describe in detail the Federal courts of the United States, but rather to give a comprehensive view of them, that the layman of Indiana may know what part the Federal courts play in the life of our state. In 1789, provision was made for a Supreme court to consist of one Chief Justice and five Associate Justices, and

thirteen District courts, grouped into three circuits. These Circuit courts continued in operation uninterruptedly from the date of that act (September 24, 1789) until they were summarily abolished, January 11, 1912. Of course, as new states were admitted to the Union, new District courts were created and by 1915 the number of District courts had increased to one hundred and two. The Seventh circuit, to which Indiana now belongs, was created February 24, 1807, and was composed of the states of Tennessee, Ohio and Kentucky. In 1837 the Seventh circuit was re-organized and made to consist of the states of Indiana, Ohio, Illinois and Michigan. At this same time the whole United States was divided into nine circuits, the Supreme court of the United States having been enlarged to nine members. Subsequently, the Seventh circuit was re-organized, and now consists of the states of Indiana, Illinois and Wisconsin.

Since the United States Supreme court has changed the number of its members at different times, it seems pertinent to state in this connection the various acts affecting the number of members constituting the bench. The act of September 24, 1789, provided for one Chief Justice and five Associates; the act of February 13, 1801, reduced the number to five—the chief justice and four associates; the act of March 8, 1802, re-organized the court as constituted in 1789; the act of February 24, 1807, increased the number to seven; the act of March 3, 1837, increased it to nine; the act of March 3, 1863, increased it to ten; the act of July 23, 1866, reduced the number to seven. The present number, composed of a chief justice and eight associate justices, was established April 10, 1869.

The present members of the United States Seventh circuit, composed of the states of Indiana, Illinois and Wisconsin, are as follows: James Clark McReynolds, United States Supreme Court; Francis E. Baker, Indiana; Christian C. Kohlsaat, Illinois; Julian W. Mack, Illinois; Samuel Alschuler, Illinois; Kenesaw M. Landis, Illinois; George A. Carpenter, Illinois; Francis M. Wright, Illinois; J. Otis Humphrey, Illinois; Albert B. Anderson, Indiana; Ferdinand A. Geiger, Wisconsin; Arthur L. Sanborn, Wisconsin.

THE UNITED STATES CIRCUIT COURT OF APPEALS.

The United States Court of Appeals was created by the congressional act of March 3, 1891 (26 U. S. Statutes at Large, 826). This act provided that the President of the United States should appoint in each of the nine circuits of the United States one additional Circuit Judge who should have the same qualifications, power and jurisdiction that the Circuit Judges of the United States have within their respective circuits. Furthermore, the act provided for the creation in each circuit of a Circuit Court of Appeals, which was to consist of three judges. The Chief Justice and the Associate Justices of the Supreme court assigned to each circuit, and the Circuit Judges within each circuit are competent to sit as Judges on the Circuit Court of Appeals. In case the Chief Justice or an Associate Justice of the Supreme court is present at any session of the Circuit Court of Appeals, he presides. In case neither is present, the oldest Circuit Judge in point of service presides over the court.

Indiana was placed in the Seventh circuit with Illinois and Wisconsin and the President on March 21, 1892, appointed William Allen Woods as the first judge of the new court for the district of Indiana. Judge Woods became a member of the Indiana Supreme court January 3, 1881; resigned May 8, 1883, to become United States District Judge for Indiana; resigned March 21, 1892, to become Circuit judge of the United States for the Seventh circuit. A full discussion of Judge Woods is given in the chapter on the Indiana Supreme court.

At the present time this court has the following Judges of the Seventh Circuit court who are competent to sit as Judges of the Court of Appeals; William H. Seaman, Christian C. Kohlsaas, Julian W. Mack, Francis E. Baker, Evan A. Evans and Samuel Alschuler. Of these six judges, Francis E. Baker is the only one who has been appointed from Indiana. Judge Baker was a member of the Supreme court of Indiana from 1899 until his appointment in 1902 as judge of the Seventh District court of the United States. A sketch of his life is given in the chapter on the Supreme court of Indiana.

COURT OF CLAIMS.

The United States Court of Claims was established by Congress with the act of February 24, 1855. Generally speaking, it is a court of special jurisdiction which handles all claims against the United States. It is a court of last resort, as far as the plaintiff is concerned, for all cases over which it is given exclusive jurisdiction with the exception of cases where the amount in controversy is more than three thousand dollars. The act establishing the court provided that the United States had the right to appeal from any adverse judgment (24 Stat. at L. 505, Sec. 15). The Court of Claims consists of a Chief Justice and four Judges appointed by the President. The Chief Justice receives a salary of six thousand five hundred dollars and each of the other judges an annual salary of six thousand dollars. The court holds one annual session at Washington, D. C., beginning on the first Monday in December and continuing until all business is disposed of.

CHAPTER XV.

THE NEW BAR (1852-1916).

GOVERNORS.

Under the new Constitution, it can be said, as was said of the bar under the old Constitution, that the lawyers have taken a leading part in the administration of all public affairs. Since the year 1852 there have been elected seventeen Governors, and of these all but four—James D. Williams, Claude Matthews, James A. Mount and Winfield T. Durbin—have been lawyers of wide reputation and regular practice. The first three of these were farmers and the last a business man. From November 24, 1891, to January 9, 1893, Ira J. Chase, a minister of the gospel, was acting Governor, to fill out the unexpired term of Governor Alvin P. Hovey, who had died in office. He was a candidate for election in 1892, but was defeated by Claude Matthews. At the Democratic convention in 1852 there was no opposition to Governor Wright. He was a candidate for re-election and his biographical sketch has been given. As his running mate, a distinguished young lawyer of New Albany, Ashbel P. Willard, was nominated.

Governor Willard was born October 31, 1820, in Vernon county, New York. He graduated from Hamilton College in 1842. After practicing law two years at Marshall, Michigan, he went horseback to Texas and from there to Kentucky, teaching occasionally by the way. In 1845 he reached Indiana, finally locating in New Albany, where he formed a partnership with Randall Crawford. In 1850 he was elected to the Legislature, and two years later became lieutenant-governor, being elected Governor in 1856. He died on October 4, 1860. Many men still living remember his eloquence.

Upon the death of Governor Willard, Abram A. Hammond, who had been serving as lieutenant-governor since 1857, became acting Governor and served until January 14, 1861.

Governor Hammond was born in Brattleboro, Vermont, in March, 1814. While still a boy he moved to Indiana, where he studied law and was admitted to the bar in 1835. In the year 1850 he became a Common Pleas Judge at Indianapolis. He later went to California, but returned in 1854 and located in Terre Haute. He died in Colorado, August 27, 1874.

Governor Hammond was succeeded in office by one of the late representatives of the old school of practice, Henry Smith Lane, of Crawfordsville. It was understood in the campaign of 1860 that if the Republican ticket was successful in the state Lane was to be elected to the United States Senate, and Oliver P. Morton, who had been elected lieutenant-governor, was to become the Governor. As a matter of fact, Lane was Governor of Indiana only two days, from January 14 to January 16, 1861, while Morton was in reality only Acting-Governor from 1861 to 1865.

Henry Smith Lane, whose sketch has already been given, was one of the most interesting men in Indiana history. He began life in the arms of poverty, and became reasonably wealthy. He was a backwoods pioneer and became one of the most cultured men in the country. He held almost every office worth holding except that of President, and he never courted an office. Easily outclassed among the senators of his time, yet he, more than any, was the confidential adviser of the President during the trying days of the Civil War. He understood the West, and in this respect was very much like Lincoln. Lane's successor was a very different man, although both were great in their respective positions as senator and Governor during the Civil War.

Governor Morton was born in Salisbury, Wayne county, Indiana, August 4, 1823. As an apprentice he learned the hatter's trade. He graduated from Miami University in 1843, read law with John S. Newman, and began practice at Centerville in 1847. He made an unsuccessful race for Governor in 1856, and was elected lieutenant-governor in 1860. In 1864 he was elected Governor, but before the expiration of his term he resigned, January 24, 1867, to accept a seat in the United States Senate, to which he had been elected by the Legislature, and served in the Senate continuously until his death, in Indianapolis, on November 1, 1877. Morton was a

better statesman than lawyer, as the duties of Governor and senator demanded all of his time and attention from 1860 until his death, and during this long period of nearly twenty years he was either in the Governor's chair or filling a seat in the United States Senate.

Upon the resignation of Morton in 1867, Conrad Baker, of Evansville, became Governor. In 1868 he was elected to a full term, serving until 1873. Conrad Baker was born in Pennsylvania, February 12, 1817, and was educated at Pennsylvania College, at Gettysburg. He read law with Thaddeus Stevens and Judge Daniel Smyser. From 1839 to 1841 he practiced law at Gettysburg, and in the latter year came to Indiana and located at Evansville, where he continued to follow his profession until he was elected lieutenant-governor in 1864. When Governor Morton resigned, January 23, 1867, to go to the United States Senate, Baker became acting Governor, and served as such until his election as Governor in the fall of 1868, after an exciting race against Thomas A. Hendricks, with a plurality of 961 votes. It is interesting to note that in later years Baker and Hendricks formed a law partnership, which continued until Hendricks became Vice-President of the United States, March 4, 1885.

Thomas A. Hendricks was not to be denied the governorship. Although twice defeated, his third race for Governor, in 1872, proved successful. A sketch of his life has already been given and it is sufficient to say that from that date until his death, November 25, 1885, while filling the office of Vice-President of the United States, he was one of the foremost figures in the country.

Hendricks was succeeded in 1877 by James D. Williams, who is known in Indiana as "Blue-Jeans" Williams, a sobriquet which was attached to him during the campaign of 1876. Williams will go down in history as one of the most unique characters who has ever filled the Governor's chair. He was a farmer of Knox county and all of his life, with the exception of about a year in Congress and the short period of his governorship, was spent on the farm where he was born. He was elected Governor, strange to say, over the best lawyer Indiana has ever produced and the only man who has ever been elected President of the United States from Indiana—Ben-

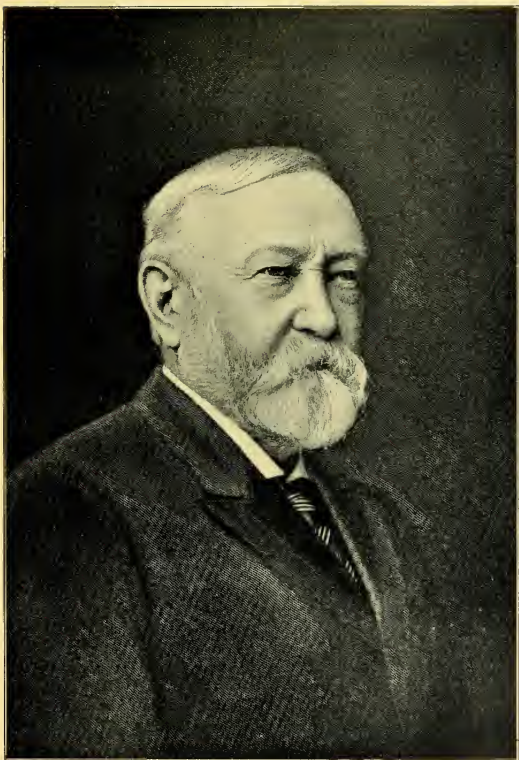
jamin Harrison. Governor Williams assumed the office on January 8, 1877, and died November 20, 1880, before his term was to expire in January of the following year.

Col. Isaac P. Gray, who had been elected lieutenant-governor in 1876, filled out the unexpired term of Governor Williams. Gray was born in Chester county, Pennsylvania, October 18, 1828. He had only a common school education, and received his legal training by reading law in the office of one of the lawyers of his native state. In 1855 he came with his parents to Union City, Indiana, where he lived until his death. After two years in the mercantile business, he turned to the law. He was colonel of the Fourth Cavalry in the Civil War. In 1884 he was elected Governor and served a full term.

At the regular election of 1880, Albert G. Porter, a lawyer of the Indianapolis bar, was elected Governor. He was a native of Lawrenceburg, Indiana, where he was born on April 20, 1824. He was educated at Hanover and DePauw, read law, and in 1845 began practice at the Indianapolis bar. A great part of his time was devoted to politics. Besides the local offices held by Porter, he was Supreme court reporter from 1853 to 1857; congressman from 1859 to 1863; first comptroller of the treasury from 1878 to 1880; Governor from 1881 to 1885, and minister to Italy from 1889 to 1892. He died at Indianapolis, May 3, 1897.

In the election of 1888, the Indiana bar was particularly well represented. Its leading member, Benjamin Harrison, was a candidate for the presidency, and an ex-member of the Supreme court, Alvin P. Hovey, was a candidate for Governor. Both were successful.

Benjamin Harrison was born at North Bend, Ohio, August 20, 1833. He graduated from Miami University, and read law in Cincinnati. In March, 1854, he moved to Indianapolis, where he practiced law the remainder of his life. He served in the Civil War, rising to the rank of brigadier-general. He was reporter of the Supreme court from 1861 to 1863 and again from 1864 to 1868; United States senator, 1881-1887; President of the United States, 1889-1893; and he represented Venezuela in the arbitration cases at Paris in 1900.



Amos Harrison

Harrison died at Indianapolis, March 13, 1901. As a lawyer, in its broad and best sense, he was considered second to no one in America.

Governor Hovey, who was Governor from 1889 until his death, November 23, 1891, has already been sketched as a member of the Supreme court. He is the only one of that bench who has ever been Governor. Following the death of General Hovey, the Governor's office was administered for nearly fourteen years by men without legal training, the longest gap in the "reign of lawyers" since the office was established.

In January, 1905, Governor J. Frank Hanly took up the burden again for the legal profession, and since that time there has been no break in the succession. Governor Hanly was a lawyer from Lafayette at the time of his election, and it was in the law he built the foundation of his present reputation. His biography is given elsewhere.

Governor Hanly was succeeded in 1909 by Thomas R. Marshall, of the Whitley county bar, where Joseph Adair, W. F. McNagny, I. B. McDonald and Judge Walter Olds had formerly practiced. Marshall was born at North Manchester, Indiana, March 14, 1854, of Virginia lineage. He graduated from Wabash College in 1873. He read law with Judge Walter Olds, of the Supreme court, and was admitted to the bar in 1875. Marshall located at Columbia City, where he practiced law until he became Governor. He was associated most of the time with W. F. McNagny and P. H. Clungston. In 1912 he was elected Vice-President of the United States, the last of the Indiana quartet of Vice-Presidents, and was re-nominated on June 16, 1916, to make the race with President Wilson.

In 1913 Samuel M. Ralston, of the Boone county bar, became Governor. For many years he had been widely known both as a lawyer and a public man. He was born in Tuscarawas county, Ohio, December 1, 1857, of Virginia extraction. The family located in Owen county, Indiana, in 1865. Governor Ralston is a graduate of Central Normal College. In 1884 he began reading law in the office of Robinson & Fowler, at Spencer, and was admitted to the bar January 1, 1886. He

began practice at Lebanon, where he lived until he became Governor. Governor Ralston devoted himself assiduously to the practice of his profession from the time he was admitted to the bar until he became Governor in 1913, although he has been frequently importuned to make the race for public offices of one kind or another.

A large majority of the Governors who have served since 1852 have returned to the active practice of the law. A few, like Morton, Lane, Hendricks and Wright, spent their remaining years in public service. All of them were lawyers of first-rate ability, and had achieved a solid reputation in their profession before becoming Governor. All measured up to the high demands of the positions they occupied and acquitted themselves honorably.

LIEUTENANT-GOVERNORS.

A large number of lawyers served as lieutenant-governors, although, as a whole, they had less ability than the lawyers who served as Governors. Among the most noted of the lawyers who have been lieutenant-governors (not mentioning Willard, Hammond, Morton, Baker and Gray, who were also Governors) may be named the following: Will Cumback, a lawyer from the Decatur county bar, born in Franklin county, March 24, 1829, educated at Miami University and the Cincinnati Law School, a Republican and scholar of wide reputation; Robert S. Robertson, of the Fort Wayne bar, elsewhere noticed; Newton W. Gilbert, later in Congress, and now a practicing lawyer in the Philippines; Frank J. Hall, of the Rush county bar, born February 16, 1844, a graduate of Indiana University in 1869, and a Democrat; and William P. O'Neill, a graduate of Notre Dame, and a lawyer of Mishawaka.

UNITED STATES SENATORS.

As a rule, lawyers delight most to serve in the great deliberation bodies, the Legislature and Congress. To be a congressman or a United States senator is the most attractive service to the lawyer. For this their whole life, as well as their professional training, fits them. Accustomed to studying social questions of immediate significance; engaged at

all times in the application of the law to social conditions, they are, as a rule, better prepared to discuss and enact legislation than any other class of citizens. The sanctum and the forum are part and parcel of their daily lives, so that they are able to unite the practical and the theoretical better than any others, if they live up to the best of their opportunities. In Lincoln, the lawyer, there is found the vision of Emerson or Whitman, united with the practical ability that characterizes the military or business man. Nor, as a rule, is it necessary for the lawyer to go up on a mountaintop in order to get a vision of the promised land. He never loses sight of the actual flesh and blood individual man, that, in the aggregate, constitutes society. It is thus no accident that the lawyer takes such a prominent part in the making of laws.

Of the eighteen senators who have been elected to represent Indiana in the United States Senate since 1852, all but two have been lawyers by profession and have been actively engaged in the practice. One of these exceptions, Dr. Graham Fitch, filled out an unexpired term. Upon the death of Senator Shively, March 14, 1916, it became the duty of Governor Ralston to fill the vacancy thus created. On March 20, 1916, the Governor appointed Thomas Taggart to serve until the November, 1916, election should elect his successor. The Democratic state convention in April, 1916, nominated Senator Taggart as the candidate of the party to fill out the unexpired term of Senator Shively. The Republicans nominated James E. Watson as their candidate for the unexpired term of Senator Shively.

Of the fifteen lawyers who have served in the Senate, several have enjoyed nation-wide distinction of a professional character. Such men as Turpie, Hendricks, Morton, Pratt, McDonald, Voorhees, Harrison, Fairbanks, Beveridge and Kern can truly be called national figures.

John Pettit, Henry S. Lane, David Turpie, Thomas A. Hendricks and Oliver P. Morton have already been mentioned.

Daniel Darwin Pratt, who served in the Senate from 1869 to 1875, was from the Cass county bar, a companion of Daniel P. Baldwin, Horace P. Biddle, William Z. Stuart, Williamson Wright and Quincy A. Myers, to name only a few of the members of that distinguished bar. He was born in Palermo,

Maine, October 26, 1813; graduated from Hamilton College in 1831; came to Indianapolis in 1832; read law in Indianapolis, and in 1836 located in Logansport, where he practiced until his death, June 17, 1877.

Joseph E. McDonald, who served in the Senate from 1875 to 1881, has already been noticed under the old bar as congressman.

Daniel Wolsey Voorhees, who served in the House of Representatives from 1861 to February 23, 1866, and from 1869 to 1873, and in the Senate from 1877 to 1897, came from the Fountain county bar, where he met in his early days Hannegan, Wright, McGaughey and Howard. He was a native of Butler county, Ohio, born September 26, 1827. He came with his parents to Fountain county when he was two months old. He graduated at Asbury (now Depauw) University, class of 1849; read law with Land and Wilson of Crawfordsville, and located at Covington, forming a partnership with Edward Hannegan. He soon made a reputation as a criminal lawyer. His volumes of published speeches show the character of the man and his knowledge of the law. His long career in Congress has been mentioned. He died in Washington, D. C., April 9, 1897.

Benjamin Harrison served in the Senate from 1881 to 1887, when he was succeeded by David Turpie, who came from the White county bar, its most widely known representative. He was a native of Hamilton county, Ohio, born July 8, 1829; reared in Carroll county, Indiana; graduated from Kenyon College in 1848; read law with Daniel D. Pratt at Logansport, and in 1849 located at Monticello to begin practice. He was in public life almost constantly from 1854 until his death in Indianapolis, April 21, 1909. In 1854 he was elected Common Pleas Judge, and two years later became Circuit Judge. He was one of the three compilers of the Revision of the Laws of Indiana in 1881.

Charles Warren Fairbanks, one of Indiana's four Vice-Presidents, was United States senator from 1897 to 1905. He resigned March 4, 1905, to become Vice-President. A sketch of Senator Fairbanks may be found in Volume III. His place was taken by James A. Hemenway, of the Warrick county bar, where in court he met the DeBrulers, Hatfields,



W. W. Voorhees



Chappell, Gilchrist, Posey and their contemporaries of the First Congressional district. Hemenway was born in Boonville, March 8, 1860, where he read law and was admitted to the bar in 1885. He served in Congress from 1895 to 1905, when he passed to the Senate to fill the vacancy created by the resignation of Charles W. Fairbanks. Since 1909 he has been practicing law in Boonville.

Senator Turpie was succeeded in 1899 by Albert J. Beveridge, of the Indianapolis bar. He was born in Ohio, October 6, 1862; graduated at DePauw in 1885; read law with Joseph E. McDonald in Indianapolis, where he has since practiced, with the exception of the years he spent in the Senate, from 1899 to 1911.

Beveridge was succeeded in 1911 by John Worth Kern, also of the Indianapolis bar. He was born December 20, 1849, in Howard county, Indiana; graduated from the University of Michigan Law School in 1869, and soon opened an office in Kokomo, where he practiced until 1888, when he located in Indianapolis. He has been practicing in Indianapolis since that time, except when in the public service. He is now a candidate on the Democratic ticket for re-election.

CONGRESSMEN.

In the Lower House of Congress the influence of the legal profession is also noticeably preponderant. Since 1853 thirty-one Congresses have met. To these Indiana has elected three hundred and eighty-one regular representatives, and of this number an overwhelming proportion have been lawyers. No less than sixty-eight terms have been filled by lawyers who have served on the Circuit bench of the state.

The delegation of 1856, which represented Indiana in the thirty-third Congress, was composed of eleven men, all but two of whom were lawyers. Cyrus L. Dunham, of the Third; James H. Lane, of the Fourth; Samuel W. Parker, of the Fifth; Thomas A. Hendricks, of the Sixth; Daniel Mace, of the Eighth, and E. M. Chamberlain, of the Tenth, belonged to the old bar and have been noticed. The new lawyer was William H. English, of the Second, who came from the Scott

county bar, his ancestral home being at Lexington, where he was born on August 27, 1822. He graduated from Hanover College, read law, and was admitted to the bar in 1846. He served in Congress from 1853 to 1861. His later life was spent almost exclusively in public service, so that he practically gave up actual practice. He died at Indianapolis, February 7, 1896.

From the Ninth district, Norman Eddy, a lawyer of South Bend, took the place of Doctor Fitch, of Logansport. He was a native of Scipio, New York, where he was born on December 10, 1810. He graduated from the University of Pennsylvania in 1835; practiced medicine in Mishawaka, Indiana, until 1847; opened a law office in South Bend the same year, but gave most of his time to public service. He served in Congress only one term, 1853 to 1855. He was colonel of the Forty-eighth Indiana Regiment during the Civil War. He died at Indianapolis, January 28, 1872, while serving as secretary of state.

Ebenezer M. Chamberlain, a former judge of the Elkhart Circuit court, and later a lawyer at the Goshen bar, represented the Tenth district in place of Samuel Brenton. He was noticed as one of the old Circuit Judges.

In the thirty-fourth Congress (1855-1857) only a few old faces appear, a fact due to the Kansas-Nebraska bill excitement. George Grundy Dunn took the seat of Cyrus L. Dunham, both lawyers. Will Cumback, a young Republican lawyer of Greensburg, displaced James H. Lane, of Lawrenceburg.

Lucien Barbour, a Republican attorney from Indianapolis, defeated Thomas A. Hendricks. Barbour was born in Canton, Connecticut, March 4, 1811; graduated from Amherst in 1837, and shortly afterward began the practice of law in Indianapolis. He was held in high esteem as a lawyer and had helped codify the laws in 1852. He died in Canton, Connecticut, July 19, 1880.

Schuyler Colfax, a newspaper editor of South Bend, defeated Norman Eddy in the Ninth Congressional district in 1854. Colfax served in Congress continuously from March 4, 1855, until March 4, 1869, when he resigned to become Vice-President of the United States. He had been elected with

General Grant in the fall of 1868, but continued to serve as congressman until he was sworn in as Vice-President. He died on January 13, 1885.

Samuel Brenton, a preacher, took the place of Judge Chamberlain in the Tenth, and John U. Pettit, of Wabash, succeeded Andrew J. Harlan in the Eleventh. A sketch of Pettit appears in Volume III.

It will be noticed that the lawyers lost three seats in the thirty-fourth Congress on account of the Kansas-Nebraska bill.

The delegation of 1857 was hardly up to the earlier standard, although such lawyers as Judge James Lockhart (who died in office) and Judge William E. Niblack came up from the First district; William H. English, from the Second; Judge James Hughes, of Bloomington, from the Third; the veteran, David Kilgore, of Delaware county, from the Fifth, and James Wilson, of Crawfordsville, the old law partner of Henry S. Lane, from the Eighth. Of the new lawyer members, Judge Niblack has been previously noticed. James M. Gregg came up from the Hendricks county bar, where Christian Nave had been a leader for so many years. Gregg was a native of Patrick county, Virginia, born June 26, 1806. He practiced in Danville, Indiana, for about twenty years, and died there, June 16, 1869. James Wilson, who succeeded Daniel Mace in the Eighth, was born in Indiana, April 9, 1822. He graduated from Wabash College in 1842, and began practice at Crawfordsville in 1845. He served in the Mexican War, and was in Congress from 1857 to 1861. He served as minister to Venezuela from 1866 until his death there, August 8, 1867.

Of the delegation of 1859, Niblack, English, Kilgore, Porter, Wilson and Pettit are familiar, although Porter appears for the first time. William McKee Dunn, who served in Congress from 1859 to 1863, came from the Madison bar, a contemporary of Marshall, the Brights and Sullivan. He was born there, December 12, 1814; graduated from Indiana College in 1832; served as a member of the Legislature in 1848; was a member of the constitutional convention of 1850; entered the army in 1861, and served as aide on General McClellan's staff in West Virginia; in 1863 was commissioned a

major and judge advocate of the United States Volunteers of the Department of Missouri. In March, 1866, he was made a brevet brigadier-general, and on December 1, 1875, was appointed judge advocate-general of the army. He held this position until 1882, when he was placed on the retired list. He resided in Washington, D. C., from 1863 until his death, July 24, 1887.

William Steele Holman began one of the longest congressional careers in Indiana history in 1859. He came up from the Dearborn and Ohio county bars. He was born on September 6, 1822. After serving in various other capacities, especially in the constitutional convention of 1850, he entered Congress, where he served from March, 1859, to 1865; from 1867 to 1877; from 1881 to 1895, and from March 4, 1897, until his death in Washington, April 22, 1897—a period of over thirty years.

Such well-known lawyers as John Law, of Evansville; D. W. Voorhees, of Covington; Albert S. White, of Lafayette, and A. G. Porter, of Indianapolis, were in the thirty-seventh (1861-1863), the first of the war Congresses. Of the new lawyers, Dunn and Holman returned. George W. Julian, the attorney of the Free Soilers, made his initial appearance from the Fifth on a fusion ticket between the Free Soilers and the Democrats. He had previously served in the thirty-first session (1849-1851). He was born near Centerville, Indiana, May 5, 1817. He read law and practiced at the Wayne county bar. He neglected his law practice and studied for public service, which engrossed nearly all his later life. He served continuously in Congress from 1861 to 1871. He died in Irvington, July 7, 1899.

William Mitchell, who represented the Tenth district, came up from Kendallville. He was a native of Montgomery county, New York, born on January 19, 1807. He died during the Civil War at Macon, Georgia, September 11, 1865.

Another new face in the delegation of 1861 was that of John Peter Clever Shank, a young lawyer from Portland, Indiana. He was born in Virginia, June 17, 1826. He later served in the Civil War and sat in Congress for five terms, from 1861 to 1863 and from 1867 to 1875. He died in Portland, January 23, 1901.



W. W. BENTLEY & SONS

NEW YORK

The thirty-eighth Congress (1863-1865) brought several changes in the Indiana delegation. Henry William Harrington, a Democratic lawyer, succeeded William McKee Dunn from the Third. He was born at Cooperstown, New York, September 12, 1825; graduated from Temple Hill Academy, New York, and in 1849 was admitted to the bar. In 1856 he located in Indiana, where he practiced law until his death, March 20, 1882. He lived in Indianapolis from 1874 until his death.

Gen. Ebenezer Dumont, of Vevay, formerly a Democrat, but a Unionist in 1863, succeeded Albert G. Porter from the Sixth. He was a son of John and Julia Dumont, born in Vevay, November 23, 1814. He received a classical education, read law with his father and practiced in Vevay. He was in the state House of Representatives, 1838; a lieutenant-colonel in the Mexican War; colonel of the Seventh Indiana Regiment in the Civil War; served in Congress, 1863 to 1867. He died in Indianapolis, April 16, 1871.

From the Eighth district, Godlove Steiner Orth, of Lafayette, made his initial appearance, succeeding his fellow member of the bar, Albert S. White. He served four terms in succession, 1863 to 1871. He was born in Lebanon, Pennsylvania, April 22, 1817; graduated from Gettysburg College; read law there and commenced the practice in Indiana about 1840. He was in the state Senate from 1843 to 1848; a member of the peace conference of 1861; captain in the Civil War; minister to Vienna; in Congress a second time from 1879 until his death, December 16, 1882.

From the Tenth district, Joseph Ketchum Edgerton, a lawyer of the Fort Wayne bar, succeeded William Mitchell in 1863. Edgerton was born in Vergennes, Vermont, February 16, 1818; he studied law in Plattsburg, Vermont; practiced law in New York City until 1854, when he moved to Fort Wayne. At the time of his election in 1862, he was president of the Fort Wayne & Chicago Railroad. He died in Boston, Massachusetts, August 25, 1893.

From the Eleventh district, James Foster McDowell, a lawyer from Marion, Indiana, succeeded General Shank. He was born in Mifflin county, Pennsylvania, December 3, 1825;

was admitted to the bar in 1846 in Darke county, Ohio. He at once located in Marion, Indiana, where he divided his time between politics and the law until his death at Marion, April 18, 1887. He served only in the thirty-eighth session of Congress.

The return of the soldiers was evidenced by the slaughter of several young ambitions among the legal fraternity in 1864. Judge William E. Niblack served eight years from the First (1865-1873), following this by a distinguished service of twelve years (1877-1889) on the Supreme bench of the state, one of the very few men who have held both of these positions.

Michael Crawford Kerr, a brilliant young lawyer from the Floyd county bar, displaced James A. Cravens from the Second. Kerr was born at Titusville, Pennsylvania, March 15, 1827. He graduated from the Louisville Law School and began practice at New Albany in 1852. He was prosecutor in 1855; a member of the state Legislature in 1856; reporter of the Supreme court from 1862 to 1865; in Congress from 1865 to 1873, and again from 1875 until his death, August 19, 1876. He was elected speaker in 1875.

Ralph Hill, a lawyer of Columbus, Indiana, succeeded Henry W. Harrington in 1865, serving one term. He was born in Johnson county, Ohio, October 12, 1827. He practiced in Columbus and Indianapolis, and died in the latter city, August 20, 1899.

John Hanson Farquhar, of the Brookville bar, succeeded William S. Holman in the Fourth district. He was born in Carroll county, Maryland, December 20, 1818; moved to Brookville, Indiana, in 1833, where he practiced until after the war. He then engaged in the banking business in Indianapolis until his death, October 3, 1873. Governor Baker appointed him secretary of state in 1872 to fill the vacancy caused by the death of Norman Eddy.

Henry Dana Washburn, of the Clinton bar, successfully contested the seat of Voorhees from the Seventh. Washburn was a tanner by trade, and was born in Windsor, Vermont, on March 28, 1832. He studied law and began practice at Clinton, Indiana. He was colonel of the Eighteenth Indiana Regiment in the Civil War, rising to the rank of brevet major-

general, and served two terms in Congress (1865-1869). He died at Clinton, January 26, 1871.

Thomas N. Stillwell, of the Anderson bar, succeeded James F. McDowell from the Eleventh. He was born in Stillwell, Ohio, August 29, 1830; began practice in Anderson, Indiana; served in the state Legislature in 1857; served in the army; was a member of Congress from 1865 to 1867; minister to Venezuela, 1867-1868; died at Anderson, January 14, 1874. There were thus seven new faces in this delegation of 1865, the first after the close of the war. Of the entire delegation all were lawyers but two, Schuyler Colfax, an editor from South Bend, and Joseph H. Defrees, an editor of Elkhart. Both had learned the trade of printing together under John D. Defrees.

The Hoosier delegation to the fortieth Congress (1867-1869) did not have so many new men. Morton Craig Hunter defeated Daniel W. Voorhees in the Sixth and thus made his initial appearance in Congress, a body he honored by four terms' service, 1867 to 1869 and 1873 to 1879. He came up from the Bloomington bar. He was born in Versailles, Indiana, February 5, 1825; graduated from Indiana University in 1849; rose to the rank of brigadier-general in the Civil War; practiced law in Bloomington until his death, October 25, 1896.

John Coburn, of the Indianapolis bar, succeeded General Dumont in the Sixth. He was born in Indianapolis, October 27, 1825, graduated from Wabash College; read law and was admitted to the bar in 1849 at Indianapolis, where he always practiced; was brigadier-general in the Civil War; was in Congress from 1867 to 1875; died in Indianapolis, January 28, 1908.

William Williams, a lawyer of the Warsaw bar, succeeded Joseph H. Defrees in the Tenth district. He was born in Carlisle, Pennsylvania, May 11, 1821. He practiced all his life at Warsaw, except while in the army. General Shank returned from the Eleventh district. There were thus ten lawyers out of eleven in the delegation of 1867.

In the forty-first Congress (1869-1871) there were only a few changes. Daniel D. Pratt, of Logansport, succeeded Henry D. Washburn, of Clinton, but was soon transferred

to the Senate and his place was taken by James N. Tyner, of the Peru bar. He was born in Brookville, January 17, 1826; educated in the Brookville Academy; spent ten years in business in his native town; read law and located in Peru. He was in the postoffice department from 1861 to 1866; in Congress from 1869 to 1875, and spent the rest of his life in the postoffice department, being postmaster-general from 1876 to 1877. He died in Washington, D. C., December 5, 1904.

Jasper Packard, of the Laporte bar, succeeded Schuyler Colfax in the Eleventh. He was born in Austintown, Ohio, February 1, 1822; graduated from the University of Michigan in 1855; studied law and located in Laporte, Indiana, in 1861; went into the army and rose to the rank of a brigadier-general; was sent to Congress from 1869 to 1875; died while commandant of the Soldiers' Home at Marion, Indiana, December 13, 1898. This 1869 delegation of eleven were nearly all lawyers.

The forty-second Congress (1871-1873) brought only two new men to the Indiana group. One of these, Gen. Mahlon D. Manson, of the Seventh, was not a lawyer. From the Fourth district, Jeremiah Morrow Wilson succeeded George W. Julian. Wilson was born in Warren county, Ohio, November 25, 1828; served in Congress, 1871 to 1876, and then located in Washington, D. C., where he died September 24, 1901.

In the congressional apportionment of December 23, 1872, Indiana received thirteen representatives, the number which it has since retained. Two were elected at large, Godlove S. Orth, of the Lafayette bar, and William Williams, of the Warsaw bar, both of whom had seen service before.

From the Second district a new member, Simon K. Wolfe, appeared to take the place of Michael Kerr. Wolfe came from the New Albany bar, as had Kerr, his predecessor. He was born in New Albany, February 14, 1824; graduated from the law department of Indiana University in 1850; located at New Albany, where he practiced until his death, November 18, 1888. He was a state senator from 1860 to 1864, and Circuit Judge by appointment from July to November, 1880.

Thomas Jefferson Cason came up from the Lebanon bar to succeed General Manson in the Seventh. He was born in

Union county, Indiana,, September 13, 1828; read law and began practice at Lebanon in 1850; served in the Legislature, 1861-1867; was Common Pleas Judge; went to Congress from 1873 to 1877, and died in Washington, D. C., July 10, 1901.

The other new member of the forty-third delegation was Henry Benton Sayler, of the Huntington bar, where he had been practicing since 1859. He was born in Montgomery county, Ohio, March 31, 1836; moved to Clinton county and, when admitted to the bar, located at Huntington. He was a major in the Civil War; in Congress, 1873-1875; Circuit Judge, 1881-1888, and died in Huntington, June 18, 1900.

After the political upheaval of 1874 cleared away, the old Indiana delegation was found to be wrecked. Only four old faces remained and one of these, M. C. Kerr, of New Albany, was soon removed by death. Of the new members, not all, thanks to the Granger uprising, were lawyers. Jephtha D. New, of the Jennings county bar, took his seat from the Fourth district. He was later on the Appellate bench, 1891-1892. Milton Stapp Robinson, of the Anderson bar, sat from the Sixth. He was on the Appellate bench with New.

Andrew Holman Hamilton, of the Fort Wayne bar, was elected from the twelfth district. He was born in Fort Wayne, June 7, 1834. He graduated from Wabash College and later from Harvard Law School, and practiced until his death in Fort Wayne, May 9, 1895.

The last of this strange delegation was John Harris Baker, of the Goshen bar, who represented the Thirteenth district. He was born in the state of New York, February 28, 1832. Baker attended Wesleyan University and read law at Adrian, Michigan; he commenced practice at Goshen, Indiana, in 1857; sat in Congress, 1875-1881; was appointed United States District Judge by President Harrison in 1892 and served until 1902, when he resigned.

At least five of the representatives from 1875 to 1877 were farmers, including "Blue Jeans" Williams, later Governor of the state (1877-1880). It is also noticeable that it contained two Appellate Judges and one United States Judge. It was probably the most sweeping change ever made in the state's representation.

In the representation from 1877 to 1879 there was also

considerable change, due to the recovery by the Republican party and the waning of the Granger strength. Thomas Reed Cobb, of the Vincennes bar, began a career of ten years' service from the Second district. He was born in Lawrence county, Indiana, July 2, 1828; educated at Indiana University; read law and practiced at Bedford from 1853 to 1867; then moved to Vincennes, where he practiced until his death, June 23, 1892. He served in Congress from 1877 until 1887.

George Augustus Bicknell came up from the Scott county bar to represent the Third district. He was later a Supreme court commissioner, in the reference to which, elsewhere in this work, his biography may be found. He served two terms (1877-1881) in Congress.

Leonidas Sexton, of the Rushville bar, represented the Fourth district in the forty-fifth Congress. He was born in Rushville, May 19, 1827; graduated from Jefferson College, Pennsylvania, in 1847, and practiced at Rushville. He died in Parsons, Kansas, July 4, 1880.

Thomas McClelland Browne began a congressional career of fourteen years in 1879. He came from the Randolph bar to represent the Fifth district. He was born at New Paris, Ohio, April 19, 1829; came to Indiana in 1844; read law at Winchester and practiced there from 1849 until his death, July 17, 1891. He was a brigadier-general in the Civil War; United States attorney for Indiana, 1869-1872; in Congress from 1877 to 1891.

John Hanna, of the Greencastle bar, was elected from the Seventh to succeed Franklin Landers, the Granger, and served only one term (1877-1879). He was born in Marion county, September 3, 1827; graduated from Asbury College; read law and practiced in Greencastle from 1850 until his death, October 24, 1882, except for a few years spent in Kansas just before the war. He was United States district attorney from 1861 to 1866.

Michael D. White, of the Crawfordsville bar, represented the ninth district, succeeding T. J. Cason. White was born in Clark county, Ohio, September 8, 1827; moved to Indiana in 1829; studied law and began practice at Crawfordsville, where he still lives.

William Henry Calkins, a young lawyer of the Laporte bar, succeeded Doctor Haymond in the tenth district. Calkins was born in Pike county, Ohio, February 18, 1842; read law and located at Laporte; served in the Union Army, 1861-1865; was in Congress from 1877 to 1884, when he resigned and moved to Tacoma, Washington, where he served as Territorial Judge until his death, January 29, 1894. There were seven new men in the delegation of 1877, all lawyers. Of the entire delegation, twelve again were lawyers, only one farmer remaining, Benoni S. Fuller, of Boonville, Indiana.

There were six new men from Indiana in the Forty-sixth Congress (1879-1881), and only two of these were lawyers. The first lawyer among these, Calvin Cowgill, hailed from the Wabash county bar. He represented the Eleventh district. Cowgill was born in Ohio, January 7, 1819; came to Indiana in 1836; read law in Winchester and located in Wabash, where he practiced until his death, February 10, 1903. He was provost marshal from 1862 to 1865, and served in Congress from 1879 to 1881.

The other lawyer was Walpole Gillespie Colerick, of the Ft. Wayne bar, who represented the twelfth. He was born in Ft. Wayne, August 1, 1845; lived there all his life, dying January 11, 1911. He belonged to a family of lawyers and lived up to his traditions. Of the other four, one was a manufacturer, one a teacher, one a Methodist preacher, and one a blacksmith. It seems to have been a hard year for the lawyers.

The election of 1880 brought seven new men into the Indiana delegation, all but three of whom were lawyers. From the Corydon bar came Strother M. Stockslager, to represent the third. He was born in Mauckport, Harrison county, Indiana, May 7, 1842; graduated from Indiana University; rose to the rank of captain in the Civil War; was admitted to the bar in 1871; was in Congress from 1881 to 1885; and since leaving Congress has been connected with the government land office in Washington, D. C.

Courtland Cushing Matson, of the Greencastle bar, was elected from the fifth district. He was born at Brookville, April 25, 1841; graduated from Asbury College in 1862;

served in the Civil War as a colonel; was admitted to the bar at Greencastle, where he has since practiced. Matson served in Congress from 1881 to 1889.

Stanton J. Peelle, of the Indianapolis bar, was elected from the seventh district. He was born in Wayne county, Indiana, February 11, 1843; served in the Civil War; studied law and was admitted to practice at Winchester; moved to Indianapolis in 1869; went to Congress, 1881-1883 and is now Chief Justice of the Court of Claims, Washington, D. C.

Mark Lindsey DeMotte came up from the Valparaiso bar to represent the tenth district in 1881. He was born in Rockville, Indiana, December 28, 1832; graduated from Asbury Law School in 1885, and began practice at Valparaiso the same year; was a captain in the Civil War; went to Lexington, Missouri, where he stayed until 1877; practiced law at Valparaiso until his death, September 23, 1908. He was dean of the Northern Indiana Law School after 1890.

The election of 1882 brought out five new congressmen, only one of whom, John E. Lamb, is very well known. Lamb came from the Terre Haute bar to represent the Eighth district. He was born in Terre Haute, December 26, 1852; read law and practiced there until his death, August 26, 1914.

Thomas Benson Ward, of the Lafayette bar, represented the ninth district. He was born in Union county, Ohio, April 27, 1835; came to Lafayette in 1836; graduated from Wabash College and later from Oxford College, in June, 1855; was admitted to the Lafayette bar in 1857; was elected mayor of Lafayette for the term 1861 to 1865; was Superior Judge of Tippecanoe county from 1875 to 1880, served in Congress, 1883-1887, and died in Lafayette, January 1, 1892.

Thomas Jefferson Wood, of the Lake county bar, was elected from the tenth district. He was born in Athens county, Ohio, September 30, 1844; graduated from the Michigan University Law School in 1867, and located at Crown Point, Indiana, where he practiced until his death, October 13, 1908.

Robert Lowry, of the Goshen bar, came from the tenth district. He was born in County Down, Ireland, in 1822; read law and came from New York to Ft. Wayne in 1843; was

admitted to the bar and located in Goshen in 1846; was appointed Circuit Judge in 1852 and was again elected Circuit Judge in 1864. Lowry was the first president of the Indiana Bar Association in 1879; served in Congress from 1883 to 1887, and died in 1904.

Five of the thirteen congressmen from Indiana in 1885 needed an introduction at Washington. From the third district, Jonas G. Howard succeeded Stockslager, and served two terms. Howard came from the Jeffersonville bar, where he had been practicing since he graduated from the State University in 1851. He was born in Floyd county, May 22, 1825, and died at Jeffersonville, Indiana, October 5, 1911.

William D. Bynum was elected from the Indianapolis bar to represent the seventh district. He was born near Newberry, Indiana, June 20, 1846; graduated from the State University in 1869; read law and practiced at Washington, D. C., from 1869 to 1887, when he moved to Indianapolis. He sat in Congress from 1885 to 1895. Since that time he has practiced in Indianapolis.

James T. Johnson, of the Rockville bar, displaced Lamb in the eighth district. Johnson was born in Putnam county, Indiana, January 19, 1839; served throughout the Civil War; was admitted to the bar in 1866 and practiced at Rockville until his death, July 19, 1904. He was in Congress from 1885 to 1889.

George Ford, of the South Bend bar, displaced Benjamin Shively in the thirteenth. He was born in South Bend, January 11, 1846; studied law and located at South Bend, where he has since practiced. He served in Congress from 1885 to 1887. He has been on the Superior Court bench of St. Joseph county since January 1, 1915.

The election of 1886 returned five strangers, counting General Hovey, who was elected from the first district and who resigned in 1888 to make a successful race for governor. His place was filled by a special election in which Frank B. Posey, of the Evansville bar, was successful.

John H. O'Neill, of the Washington bar, came up from Daviess county to represent the second district, succeeding Thomas R. Cobb. O'Neill was born at Newberry, South Caro-

lina, October 30, 1837; graduated from Indiana University in 1862; from the law department of Michigan University in 1864, and located at Washington, Indiana, where he practiced until his death, July 15, 1907. He was in Congress from 1887 to 1891.

Joseph B. Cheadle, of the Newport bar, was elected from the ninth district to succeed Thomas B. Ward. Cheadle was born at Perrysville, Indiana, August 14, 1842. He studied at Asbury College; served in the Civil War; graduated from the Indianapolis Law School in 1867; practiced at Newport, Indiana, until 1873, when he took up newspaper work. He died in Frankfort, Indiana, May 28, 1904. He sat in Congress from 1887 to 1891.

Six new members appeared with the delegation to the fifty-first Congress in 1889. At the head of the list stood Judge William Fletcher Parrett, of the Evansville bar, who represented the first district. Parrett was born near Poseyville, Indiana, August 10, 1825; attended Asbury College; read law and began practice in Evansville. In 1852 he went to Oregon, where he remained two years. From 1855 to 1865 he practiced in Boonville, and from that time until his death, June 30, 1895, he practiced in Evansville. He was Circuit Judge for a quarter of a century (1859-1869; 1873-1888), and was in Congress from 1889 to 1893.

From the Seymour bar came the brilliant, erratic Jason Brevoort Brown to succeed Jonas Howard of the third. Brown was the John Randolph of Indiana congressmen. He was born in Dillsboro, Indiana, February 26, 1839. He read law in Indianapolis until 1860, when he was admitted to the bar and located at Seymour, where he practiced until his death, March 10, 1898. He sat in Congress from 1889 to 1895.

George William Cooper, of the Columbus bar, succeeded C. C. Matson from the fifth. Cooper was born in Bartholomew county, May 21, 1851 graduated from the law department of Indiana University in 1872, and practiced until his death, November 27, 1899, at Columbus, Indiana. He sat in Congress from 1889 to 1895.

Elijah Voorhees Brookshire, of the Crawfordsville bar, took the place of James T. Johnson in the eighth district.

Brookshire was born near Ladoga, Indiana, August 15, 1856; graduated from the Central Normal College in 1878; read law and commenced practice at Crawfordsville in 1883; sat in Congress from 1889 to 1895, and since 1895 he has practiced in Washington, D. C.

Augustus Newton Martin, of the Bluffton bar, succeeded George W. Steele in the eleventh district. Martin was born in Butler county, Pennsylvania, March 23, 1847; graduated from Eastman College in 1867; served in the army during the Civil War; read law in Bluffton in 1869 and was admitted to the bar in 1870; was Supreme Court reporter from 1877-1881; practiced law in Texas from 1881 to 1883 and then returned to Bluffton where he practiced from 1883 until his death, July 11, 1901. He was in Congress from 1889 to 1895.

Charles A. O. McClellan, of the Auburn bar, was elected from the twelfth and served two terms, 1889 to 1893. He was born in Ashland, Ohio, May 25, 1835; studied law in Auburn and was admitted to practice in 1860; he died at Auburn, January 31, 1898.

The state came through the election of 1890 with only four wrecks in their congressional delegation. John L. Bretz, of the Jasper bar, succeeded John H. O'Neill from the second. Bretz was born near Huntington, Indiana, September 21, 1852; graduated from the Cincinnati Law School in 1880; located at Jasper where he is still practicing. He sat in Congress from 1891 to 1895, and has been on the Circuit bench since 1908.

Henry Underwood Johnson, of the sixth district, quit his practice at the Richmond bar in 1891, to devote eight years to congressional service. He was born in Cambridge City, Indiana, October 28, 1850; attended Earlham College; studied law and located at Richmond, where he has since practiced. He was in Congress from 1891 to 1899.

Dan Waugh, of the Tipton bar, was elected from the ninth district over Joseph B. Cheadle. Waugh was born in Wells county, Indiana, March 7, 1842; served in the Union Army three years; studied law and located in Tipton, where he has since practiced. He was in Congress from 1891 to 1895, on the Circuit bench from 1884 to 1890.

The election of 1892 brought in an almost entire Demo-

cratic delegation with four new members. From the first district, Arthur H. Taylor succeeded William F. Parrett. Taylor was born in Caledonia Springs, Canada, February 29, 1852; he was reared in Gales county, New York; studied law in Indianapolis; was prosecutor of the Eleventh circuit from 1880 to 1882, and was in Congress from 1893 to 1895. Since 1895 he has been practicing in Indianapolis.

William F. McNagny superseded Charles A. O. McClellan in the twelfth. McNagny was one of the strong men of the Whitley county bar. He was born in Summit county, Ohio, April 19, 1850; moved early to Whitley county; was admitted to the bar in 1873; served from 1893 to 1895 in Congress and has since practiced at Columbia City. The other two new men were manufacturers.

The election of 1894 was revolutionary again. The panic of 1893 was a Waterloo to the Democrats and, as a consequence, every man on the delegation except Henry U. Johnson, a Republican, lost his seat. Of the twelve men who took their places, only one had ever been in Congress before, George W. Steele, a lawyer of Marion.

James M. Hemenway, who came from the first district, later served in the United States Senate. Alexander Merrill Hardy came from the Daviess county bar to represent the second. He was born in Simcoe, Ontario, December 16, 1847, and after spending some time in Poughkeepsie, New Orleans, and Natchez, settled down to practice law at Washington, Indiana, in 1884. He served from 1895 to 1897 in Congress and then located at Los Angeles, California, where he is now practicing.

Robert John Tracewell, of the Corydon bar, was elected from the third. He was born in Warren county, Virginia, May 7, 1852; moved to Harrison county, Indiana, in 1854; graduated from Hanover College in 1874; located at Corydon, where he practiced until 1895; sat in Congress from 1895 to 1897; was comptroller of the currency from 1895 to 1913, and from 1913 until his death practiced law at Washington, D. C.

James Eli Watson came from the fourth district to begin a congressional career of twelve years. He was born at

Winchester, Indiana, November 2, 1864; studied at DePauw; read law and was admitted to the bar in 1886 and located at Winchester; moved to Rushville in 1893, where he has since practiced. He was in Congress from 1895 to 1897, and again from 1899 to 1909; he is now candidate for United States senator to fill the unexpired term of Benjamin F. Shively.

Jesse Overstreet, of the Franklin bar, was elected from the fifth district and began a career of twelve years in Congress. He was born in Franklin, Indiana, December 14, 1859; graduated from Franklin College in 1882; read law with his father in 1886, when he was admitted to practice. He served in Congress from 1895 to 1907, and died at Indianapolis, June 3, 1910.

Charles L. Henry, of the Anderson bar, represented the seventh district from 1895 to 1899. He was born in Hancock county, Indiana, July 1, 1849; graduated from the law school of Indiana University in 1872; located at Pendleton and in 1875 moved to Anderson, Indiana, where he practiced until 1899, when he went into business. He moved to Indianapolis upon becoming connected with the Union Traction Company and has since made that city his home.

George Washington Faris, of the Terre Haute bar, came from the eighth district. He was born in Jasper county, Indiana, June 9, 1854; was reared in Pulaski county; graduated from Asbury College in 1877; read law and was admitted to practice in Terre Haute in 1877; served in Congress from 1895 to 1901, and then resumed practice in Terre Haute.

James Franklin Hanly, of the Lafayette bar, came to represent the ninth district from 1895 to 1897. He was later governor from 1905 to 1909. His sketch is given in the discussion of the governors.

Lemuel W. Royse, of the Kosciusko bar, was elected from the thirteenth district. He was born in Kosciusko county, Indiana, January 19, 1848; was admitted to the bar and located at Warsaw in 1874. He served in Congress from 1895 to 1899 and then resumed practice in Warsaw, Indiana. Royse served on the Circuit bench from 1904 to 1908. This was a solid Republican delegation, all being lawyers but two, Jethro Hatch and Jacob D. Leighty.

The presidential election of 1896 retired five of the last delegation, substituting Democratic lawyers in the second, third and twelfth districts. Robert W. Miers, of the Bloomington bar, came from the second district. He was born near Greensburg, Indiana, January 27, 1848; graduated from the law department of Indiana University in 1872; located at Bloomington, where he has since practiced. He was in Congress from 1897 to 1905; and is now Circuit Judge (1914-1920), a position he had previously held from 1890 to 1896.

Francis Marion Griffith, of the Vevay bar, was chosen at a special election to fill a vacancy caused by the death of W. S. Holman. Griffith was born in Switzerland county, Indiana, August 21, 1849; studied law and began practice at Vevay; served in the state Senate from 1886 to 1894; sat in Congress from 1897 to 1905; since that time he has practiced at Vevay. He was elected Circuit Judge in 1914 for a term of six years, beginning in November, 1915.

Edgar Dean Crumpacker, of the Valparaiso bar, began a sixteen-year career in Congress from the tenth district, serving continuously from 1897 to 1913. Upon the organization of the Appellate Court in 1891, Governor Hovey appointed Crumpacker as one of the first judges of the new court, and he served on the bench until January 1, 1893. A sketch of his life is given in the discussion of the Appellate bench.

From the twelfth district and the Ft. Wayne bar, James McClellan Robinson succeeded Jacob D. Leighty. Robinson was born near Ft. Wayne, Indiana, May 31, 1861; studied law and began practice in 1882; sat in Congress from 1897 to 1905; since then he has practiced in Ft. Wayne.

There were only two strange faces in the congressional delegation from Indiana in 1899. Charles L. Henry gave way to George Washington Cromer in the eighth. Cromer was born in Madison county, Indiana, May 13, 1856; graduated from Indiana University in 1882; practiced in Muncie after 1886; sat in Congress from 1899 to 1907. He is now practicing at Muncie, Indiana.

Abraham Lincoln Brick, who succeeded Royse in the thirteenth, came from the South Bend bar. He was born in St. Joseph county, Indiana, May 27, 1860; graduated from the

law department of Michigan University in 1883; began practice at South Bend, where he practiced until his death, April 7, 1908. He served in Congress from 1899 until his death. All the members of this delegation were lawyers, but Charles B. Landis, who was an editor from Delphi, Indiana.

The election of 1900 displaced only one man, the least change made in any election since 1852. Elias Selah Holliday, of the Brazil bar, succeeded Faris in the fifth district. Holliday was born in Aurora, Indiana, March 5, 1842. He attended Hartsville College; read law and began practice in Brazil, Indiana, in 1874, where he has since practiced. He served in Congress from 1901 to 1909.

The election of 1900 set a new mark, which the election of 1902 sustained. The old delegation lost only one member, George W. Steele, who was succeeded by Frederick Landis, of the Logansport bar, in the eleventh district. Landis was born in Butler county, Ohio, August 18, 1872; studied law and began practice in 1893; served in Congress from 1903 to 1907, since which time he has practiced at Logansport.

The election of 1904 brought three new faces and special elections added two more. Lincoln Dixon succeeded F. M. Griffith from the third. Dixon was born in Vernon, Indiana; graduated from the State University in 1880; began practice at North Vernon, Indiana, in 1882, and has since practiced there. He has served in Congress continuously since 1905.

John Crawford Chaney, of the Sullivan bar, succeeded R. W. Miers in the fourth. Chaney was born at New Lisbon, Ohio, February 1, 1854; moved to Allen county the same year; graduated from Cincinnati Law School in 1882; began practice at Sullivan, Indiana, in 1883, where he has since practiced. He sat in Congress from 1905 to 1909.

Newton Whiting Gilbert, of the Angola bar, succeeded James M. Robinson in the twelfth. Gilbert was born in Worthington county, Ohio, May 24, 1862; moved to Indiana in 1875; read law and began practice at Angola, Indiana, in 1885; was lieutenant-governor from 1900 to 1904. He represented Steuben and Lagrange counties in the Senate of the sixtieth and sixty-first General Assemblies. When war was declared between Spain and the United States in 1898, Gilbert

joined the United States Volunteer Infantry, and was appointed captain of Company H, One Hundred and Fifty-seventh Indiana Regiment, and served until the regiment was mustered out. Gilbert took his seat in the fifty-ninth Congress on March 4, 1905, and served until he resigned, November 6, 1906, to accept an appointment as Chief Justice of the Philippines. Gilbert's place was filled by the election of Clarence C. Gilhams, a school teacher, of Lagrange county.

James A. Hemenway resigned in 1905 to become United States senator and his place was filled by the election of John H. Foster, of the Evansville bar. Foster was born in Evansville, Indiana, January 31, 1862; graduated from the State University in 1882 and from George Washington University in 1884; began practice in Evansville in 1885, and sat in Congress from 1905 to 1909. Since 1909 he has practiced law in Evansville.

Three new recruits were the result of the election campaign of 1907. William Elijah Cox, of the Jasper bar, succeeded Zenor in the third district. Cox was born in Dubois county, Indiana, September 6, 1865; graduated from Lebanon University and from the law school of Michigan University; began practice at Jasper, Indiana, in 1889 and has since practiced there. He has served in Congress since 1907.

John Alfred McDowell Adair, of the Portland bar, succeeded George W. Cromer in the eighth. Adair was born in Jay county, Indiana, December 22, 1863; studied law and began practice at Portland, Indiana, in 1895. He has served in Congress since 1907. He is the Democratic candidate for governor to succeed Ralston.

George W. Rauch, of the Marion bar, succeeded Fred Landis in the eleventh. Rauch was born in Huuntington county, Indiana, February 22, 1876; studied law at Valparaiso; began practice in Marion, Indiana, in 1902. He has served in Congress since 1907.

The Republicans had been gradually losing ground in the elections since 1894, but the landslide came in 1908. After the battle was over and the roll was called it was found that only two Republicans, Edgar D. Crumpacker, of the tenth district, and W. O. Barnard, of the sixth, a new man, could

answer. The slaughter had been heartrending. Not all of the new men, however, were lawyers.

William Allen Cullop, of the Vincennes bar, defeated Chaney in the second. Cullop is a native of Knox county, born March 28, 1853; graduated from Hanover College in 1878; studied law and began the practice at Vincennes in 1880, and has practiced there since. He has sat in Congress since 1909.

William Oscar Barnard, who succeeded James E. Watson from the sixth, came up from the New Castle bar where he had served as prosecutor, 1886-1892, and Circuit Judge from 1896 to 1902. He was born in Union county, Indiana, October 25, 1852; was educated at Spiceland Academy, studied law and has practiced all his life at New Castle. He sat in Congress from 1909 to 1911 and then resumed the practice.

Charles Alexander Korbly, of the Indianapolis bar, succeeded Overstreet in the seventh. Korbly was born in Madison, Indiana, March 24, 1871; worked on the *Madison Herald* three years and then moved to Indianapolis, where he studied law and has practiced all his life at New Castle. He sat in Congress from 1909 to 1915.

Martin A. Morrison, of the Frankfort bar, succeeded Charles B. Landis in the ninth. Morrison was born in Frankfort, Indiana, April 15, 1862; graduated from Butler College in 1883; studied law and has practiced all his life at Frankfort. He has been in Congress since 1909.

Cyrus Cline, of the Angola bar, succeeded Gilhams in the eleventh. Cline was born in Richland county, Ohio; graduated from Hillsdale College, Michigan, in 1876; was county superintendent of schools of Steuben county, 1877 to 1883; studied law and was admitted to the bar; began practice at Angola in 1884. He has sat in Congress since 1909.

The election of 1910 took one of the two remaining Republicans from the Indiana delegation. Finley H. Gray, of the Connersville bar, took the place of Barnard in the sixth. This also was the only change in the Indiana delegation. Gray was born in Fayette county, Indiana, July 24, 1864; was admitted to the bar in 1893 at Connersville, where he has since practiced. He has sat in Congress since 1911.

The election of 1912, though a presidential year, brought

only two new recruits to the Indiana delegation. It removed the last Republican, leaving a solid Democratic representation from the state. Only one of the two was a lawyer. John B. Peterson, of the Crown Point bar, who succeeded Crumpacker in the tenth, was born in Lake county, Indiana, July 4, 1851. He studied law and began the practice at Crown Point in 1870 and has practiced there continuously since that time.

In the election of 1912 the Republicans had touched bottom, but two years later had begun to come to the surface again. Two new men appeared in the Hoosier delegation to the sixty-fourth Congress, both Republicans and both widely-known lawyers.

In the seventh district, Merrill Moores, of the Indianapolis bar, succeeded Korbly. Moores was born in Indianapolis, April 21, 1856; graduated from Yale in 1878; was admitted to the bar at Indianapolis in 1880, and has since practiced there. He has sat in Congress since 1915.

In the tenth district, William R. Wood, of the Lafayette bar, succeeded Peterson. Wood was born at Oxford, Benton county, Indiana, January 5, 1861; graduated from the Law School of Michigan University in 1882, and began practice at Lafayette the same year; served in the state Legislature eighteen years; has served in Congress since 1915.

A casual glance over the first century of our history is all that is necessary to convince anyone that the lawyers all but monopolized the representation of the state in Congress. A few, only, of those not lawyers who occasionally broke into the delegations remained long enough to gain any influence, and not more than five can be said to have achieved a congressional career. There were Ratliff Boone, of Boonville; Dr. John W. Davis, of Carlisle; Schuyler Colfax, of South Bend; Charles B. Landis, of Logansport, and Benjamin F. Shively, of South Bend. The last named acquired a good reputation as a lawyer before he took up journalism.

On the other hand, not less than thirty-five of these, William Price, John Test, Thomas H. Blake, George H. Dunn, William H. Wick, Richard W. Thompson, Samuel C. Sample, John Pettit, Elisha Embree, James Lockhart, Ebenezer M. Chamberlain, John U. Pettit, William E. Niblack, James

Hughes, David Kilgore, William S. Holman, John Law, John Coburn, Simeon K. Wolf, Henry B. Saylor, Jephtha D. New, George A. Bicknell, Robert Lowry, William F. Parrett, Charles A. O. McClellan, John L. Bretz, Alvin P. Hovey, Daniel Waugh, Robert W. Miers, John H. Baker, William T. Zenor, Francis M. Griffith, Milton S. Robinson, Lemuel W. Royse, Thomas R. Cobb, William O. Barnard and Edgar D. Crum-packer, and perhaps others, earned the right to be called Judge by actual service on the bench. At least three judges on the Circuit bench today have sat in Congress, Francis M. Griffith, John L. Bretz and Robert W. Miers. Congressman John Pettit, William Niblack and Alvin P. Hovey served on the Supreme bench and Milton S. Robinson and Edgar D. Crum-packer served on the Appellate bench and in Congress. John Pettit, of the Supreme court Judges, served in the Senate. The record is most interesting.

CHAPTER XVI.

INDIANA STATE BAR ASSOCIATION.

So far as is known, no State Bar Association was organized in Indiana until June 23, 1896. It should not be inferred from this that there had been no fraternal or professional communication among the lawyers during the ninety-seven years since they first made their appearance on Indiana soil. The so-called "great lawyers" of the old Supreme bench were well acquainted with each other personally. Each and all of them frequently attended the sittings of the Supreme court at the capital, where, while causes were being tried, they mingled in good fellowship. On many occasions they sat together and listened to the eloquent tributes paid by the brothers to departed members. Some of the finest traditions of the profession have come down to us from those occasions. We are apt to forget in reading of the active opposition of these old lawyers, one to another, that underneath it all there was a professional spirit and personal attachment not unlike that which in the older times permeated knighthood.

Then there was no occasion for the annual meeting which is the one great feature of the present Bar Association. Twice each year a large proportion of the lawyers met at the sessions of the Supreme court—a larger proportion than now attends the annual meetings of the association. On the circuit in the early days it was not unusual for a score of the lawyers, all those perhaps in a fourth part of the state, to be together for a fortnight. From this it can be seen that while the formal organization of the Bar Association is a comparatively new thing, the underlying sentiment which supports it is as old as the state.

The call for a meeting to organize a State Bar Association was issued by the Marion County Bar Association. Pursuant to this call, one hundred and twenty-one lawyers met in the

hall of the House of Representatives at eleven o'clock a. m., June 23, 1896, and organized the association. Samuel Pickens, chairman of the Marion County Bar Association, called the meeting to order, and Judge John H. Baker, of the Federal court, presided. Nothing was done at this meeting beyond the formal organization. John R. Wilson, of the Indianapolis bar, submitted the following articles of association, except that section three was changed slightly to admit to membership all members in good standing of the bar of the state of Indiana.

ARTICLES OF ASSOCIATION OF THE STATE BAR
ASSOCIATION OF INDIANA.

(Adopted, 1896.)

1. The name of this association shall be "The State Bar Association of Indiana."

2. The objects of this association shall be: To advance the science of jurisprudence, promote the administration of justice, uphold the honor of the profession of the law, and encourage social intercourse among the members of the Bar of the State of Indiana.

3. Any person shall be eligible to membership in this association who shall be a member in good standing of the Bar of the State of Indiana.

4. There shall be elected by ballot annually the following officers of this association: A president, a vice-president, a secretary and a treasurer.

The following committees shall be annually appointed by the president for the year ensuing. On jurisprudence and law reform, consisting of thirteen members, one from each congressional district; on judicial administration and remedial procedure, consisting of thirteen persons, one from each congressional district; on legal education and admission to the bar, consisting of thirteen persons, one from each congressional district; on publication, consisting of thirteen persons, one from each congressional district; on grievances, consisting of thirteen persons, one from each congressional district; on admission of members to the association, consisting of one person from each judicial circuit of the state.

A committee of three, of whom the secretary shall always be one, shall be annually appointed by the president, whose duty it shall be to report to the next meeting of the association the names of all persons who shall have died during the year, with appropriate notice of the deceased.

There shall also be an executive committee, consisting of the president, the secretary, the treasurer (all of whom shall be *ex-officio* members), together with four other persons to be annually chosen by the Association. The president shall be chairman of the executive committee.

The executive committee shall select the persons to make addresses and read papers at the next annual meeting of the Association, and fix the time and place of the annual meeting of the Association, and have charge of its business and prudential affairs.

There shall be also such special committees appointed by the president or selected by the Association as may be deemed necessary.

A majority of the members of any committee, including the executive committee, who may be present at any meeting of the committee, shall constitute a quorum of such committee for the purpose of such meeting.

5. All nominations for membership of the Association shall be made in writing to the committee on membership; the latter committee shall by ballot determine the fitness of all persons presented; when such a committee has approved of a name presented, it shall report such person to the Association, who shall thereupon become a member; provided, however, that if any member of the Association demand a vote upon any name thus presented, the Association shall vote thereon by ballot, and five negative votes shall be sufficient to reject such person.

6. By-laws may be adopted at any annual meeting of the Association by a majority vote of those present. It shall be the duty of the executive committee first chosen, without delay, to frame suitable by-laws, which shall be in force until rescinded by the Association.

7. Each member of the Association shall pay five dollars to the treasurer as annual dues, and no person shall exercise any privilege of membership who is in default. The time of payment and mode of enforcing the same shall be provided for by the by-laws.

8. The president of the Association shall open each annual meeting with an address.

9. The Association shall meet annually at such time and place as the executive committee may select, and those present at such meeting shall constitute a quorum.

10. All the persons signing and acknowledging these articles, and all the persons duly elected to membership of the Association shall become members upon the payment of the annual dues for the current year.

In testimony whereof, the undersigned have hereunto affixed their names this, the 23rd day of June, 1896 (it will be noticed that thirty-five of these were from Indianapolis):

Leander J. Monks, Winchester.

Timothy E. Howard, South Bend.

Leonard J. Hackney, Shelbyville.

James H. Jordan, Martinsville.

John G. Hogate, Goshen.

Enoch G. Hogate, Danville.

Theodore P. Davis, Noblesville.

George L. Reinhard, Indianapolis.

John W. Kern, Indianapolis.

Lewis C. Walker, Indianapolis.

Adam A. Beecher, Terre Haute.

Joseph H. Shea, Scottsburg.

John R. Brill, Evansville.

James L. Mitchel, Indianapolis.

Theodore J. Loudon, Bloomington.

Duane H. Bowles, Indianapolis.

E. P. Richardson, Petersburg.

V. H. Lockwood, Indianapolis.

Charles C. Spencer, Monticello.

Truman F. Palmer, Monticello.

- Samuel P. Pickens, Indianapolis.
W. L. Penfield, Auburn.
H. M. Logsdon, Evansville.
Jacob D. Early, Terre Haute.
R. B. Beauchamp, Greensburg.
Frank E. Gavin, Greensburg.
George E. Ross, Logansport.
Orlando J. Lotz, Muncie.
Robert W. McBride, Indianapolis.
Allen Zollars, Ft. Wayne.
Robert Lowry, Ft. Wayne.
J. G. Ibach, Hammond.
G. V. Menzies, Mt. Vernon.
Alexander Gilchrist, Evansville.
Phillip W. Frey, Evansville.
John W. Spencer, Evansville.
Frank B. Burke, Indianapolis.
Charles E. Korbly, Indianapolis.
Charles E. Barrett, Indianapolis.
M. F. Stannard, Jeffersonville.
Charles B. Stuart, Lafayette.
Hiram Teter, Indianapolis.
William H. Dye, Indianapolis.
E. K. Strong, Columbia City.
David A. Myers, Greensburg.
Flavins J. Van Vorhis, Indianapolis.
Edwin Taylor, Evansville.
J. G. Winfrey, Evansville.
J. L. Clark Danville.
G. W. Brill, Danville.
Rufus Magee, Logansport.
I. H. Fowler, Spencer.
James W. Sansberry, Anderson.
William S. Diven, Anderson.
Frank P. Foster, Anderson.
Jesse H. Blair, Indianapolis.
Will E. Colerick, Ft. Wayne.
M. J. Clancy, Elwood.
George H. Voigt, Jeffersonville.
James W. Morrison, Frankfort.
William R. Hough, Greenfield.
John V. Hadley, Danville.
Levi P. Harlan, Indianapolis.
W. N. Harding, Indianapolis.
Oliver Bogue, Wabash.
Jay A. Hindman, Hartford City.
T. E. Ellison, Ft. Wayne.
Walpole G. Colerick, Ft. Wayne.
Charles A. Dryer, Indianapolis.
Ralph Applewhite, Seymour.
Terence B. Cunningham, Kentland.
John S. Duncan, Indianapolis.
Addison C. Harris, Indianapolis.
Willard New, Vernon.
Quincy A. Myers, Logansport.
Otis L. Ballou, Lagrange.
Charles E. Shively, Richmond.
A. C. Ayres, Indianapolis.
Samuel Parker, Plymouth.
William A. Pickens, Indianapolis.
K. M. Hord, Shelbyville.
Noble C. Butler, Indianapolis.
Lafayette Perkins, Indianapolis.
John R. Wilson, Indianapolis.
Silas A. Hays, Greencastle.
John T. Beasley, Terre Haute.
William C. Smith, Delphi.
Albert Rabb, Indianapolis.
W. L. Taylor, Indianapolis.
Charles L. Jewett, New Albany.
Charles F. Reny, Columbus.
William Cummings, Kentland.
William Darroch, Kentland.
Samuel Ashby, Indianapolis.
Frank McCray, Indianapolis.
J. H. Loudon, Bloomington.
Charles W. Moores, Indianapolis.
Smiley N. Chambers, Indianapolis.
William P. Fishback, Indianapolis.
William P. Kappes, Indianapolis.
Ephraim Marsh, Greenfield.
Daniel W. Sims, Covington.
John C. Nelson, Logansport.
Edward K. Adams, Shelbyville.
Charles Martindale, Indianapolis.
Benjamin Harrison, Indianapolis.
Ferdinand Winter, Indianapolis.
Nathan Morris, Indianapolis.
N. O. Ross, Logansport.
John K. Thompson, Lawrenceburg.
Robert H. Colt, Indianapolis.
John A. Finch, Indianapolis.
W. S. Shirley, Martinsville.
J. W. Headington, Portland.

Frank A. Comporet, Kentland
 Sidney B. Davis, Terre Haute.
 John S. Bays, Sullivan.
 Frank A. Kelley, Terre Haute.

Frank M. Powers, Angola.
 Frank S. Roby, Angola.
 John G. Williams, Indianapolis.

The first regular meeting of the State Bar Association was held on the anniversary of its organization, June 23, 1897, at Indianapolis, Benjamin Harrison being president. His remarks on that occasion set forth the aims of the association better than the writer could hope to do. It is also fitting that the vision of Indiana's greatest lawyer as described by himself on this occasion should be preserved in this connection.

One of the purposes of the Association is to promote the administration of justice. We gather here this morning in one of the halls of the Legislature of Indiana. It is a proper place for our assembling. The Legislature makes a great deal of work for the lawyers. I cannot but think that if a committee of the Bar Association—as a committee, not on policies, but on expression—could sit in connection with the Legislature, that the convenience and comfort of the courts, and the directness and exactness of public laws, would be promoted. I do sincerely hope—and I make, in this large representative assembling of the bar this morning, a prediction that it may be so—that we have organized an association of the profession in Indiana that is to be permanent, one that shall enlist the enthusiastic support and co-operation of all the members of the bar of the state. I do believe that this Association, pursuing its natural and proper purposes expressed in its constitution, may contribute very greatly to the good of the commonwealth of which we are citizens. I hope, therefore, that the interest in this Association may not be temporary or lukewarm, but that it may be permanent and enthusiastic.

We are associated in part to promote the administration of justice, and there are many ways in which this Association, co-operating with legal associations, may greatly contribute to this end. If our courts are to retain the veneration and respect which is due to them, and which is not only their due, but the preservation of which, in the public estimation, is essential to settled, stable, orderly public and social life, the bar of the state must do its duty to itself and to the courts. It will discharge that duty, I think, in the first place, by throwing its influence as an association and the influence of every individual member of it, to the selection for judicial places under our state government of those men who are fit and fitted for the discharge of judicial duties. No other considerations but those of integrity, address and legal acquirements should enter into the selection of a judicial officer.

It may be that, in the constitution of some of our great Appellate courts, especially the Supreme court at Washington, there are party

divisions upon the lines of great constitutional questions, such as those that arose during the war, that may fairly enter into the consideration of the appointing power. Perhaps the President may rightly consider whether the person suggested for a place upon the bench of the Supreme court has a right opinion upon questions of the supremacy of the national government in all national affairs; but when we come to the lower and more subordinate and more temporary matters of politics, matters that are of business expediency and consideration, then I hold that it is unworthy, especially of members of the bar, to give their ballots for a man simply because he is of this party or that party, if in doing so they vote for the less worthy and the less competent man.

Amid all these tumults and divisions, these agitating social questions, these distracting and exciting questions that arise between capital and labor, that agitate our people, that sway our assemblies—in the midst of these, the hope of our country is in a clean, high-minded judiciary, and we should contribute every effort to secure men of character for these judicial places. Not only that, but the bar should stand against these vindictive, malicious and unfounded assaults that are so often made upon our judges. Anything that tends to diminish the respect of the public for a judge tends to the public injury. If he is guilty of malfeasance or misconduct in office, if he is corrupt, let the Bar Association be his accuser and bring him not only to the judgment of the tribunal of the public, but to that judgment which our constitution provides. Let us set ourselves against these malignant, inconsiderate, unfounded imputations against the impartiality and integrity of our judges. It is essential, again, that the relations between the bar and the court should be placed upon the highest level of courtesy and mutual respect.

It is an unseemly thing that law causes should be conducted in the midst of wrangling and angry exchanges between court and counsel or between counsel. There should be that mutual respect in which the judge does not insult or invade the just province of the lawyer, and in which the lawyer stands as a model of courtesy and deference to the judge who presides. Trials thus conducted dignify the court and give to judicial proceedings, in the opinion of the public, a decency and sanction that they cannot afford to lose.

I suggest that we take into consideration, each for himself, whether he has erred in these particulars, and that we bring into our practice and into our relations to the courts and to each other some of that old-time courtliness and dignity which characterized the bar.

Now, gentlemen, this introduction opens up many avenues of thought and suggestion, but I forbear. Let us assembled, as we are, as lawyers, members of a great profession, renew our allegiance to the high principles upon which the law rests, and our allegiance to those exchanges of courtesy and kindness between bench and bar, that so much tend to dignify the profession, to give power and sanction to the judgment of the courts. Our judges will have no trouble in maintaining their temper. I hope, because of all men, they have little excuse when they get mad, unless

the lawyer has practiced some fraud upon them, because I have observed in all my practice that a case always goes—almost always goes, unless a jury intervenes to thwart it—almost always goes the judge's way in his court. The man who can say to his clerk: "Mr. Clerk, enter up this order or that order." ought not to lose his temper at the lawyers who are wrangling over the order on the floor. He can afford to smile benignly through the whole proceeding.

The association did not hesitate to take up the work suggested by its first president. The so-called "Lawyers' Amendment," giving the Legislature power to prescribe qualifications for admission to the bar, had been passed for the first time, March 8, 1897. It would come up for a second hearing before the Legislature of 1899 and the State Bar Association in its June (1897) session, went on record as being favorable to the amendment. The committee to which the amendment was referred reported that "The reasons for this amendment are so obvious that we deem it unnecessary to explain them."

It might be mentioned, in passing, that the 1899 Legislature again passed the Lawyers' Amendment and that it was submitted to the voters of the state on November 6, 1900, when it was lost by a vote of 144,072 to 240,031. Although the amendment received a majority of the votes cast for it by those voting on the question, yet it failed to receive a majority of all the votes cast, which total amounted to 655,965. The Lawyers' Amendment was passed by the Legislatures of 1903 and 1905 and was again lost in the election of 1906. For a third time an effort was made to secure the passage of the amendment, but the election of 1910, which followed the passage of the amendment by the Legislatures of 1907 and 1909, resulted in the defeat of the amendment for the third time.

Another amendment to the Constitution relative to an increase in the number of Supreme Judges from five to eleven had been passed by the 1897 Legislature. The Bar Association in its meeting in the summer of that year did not favor the amendment as passed by the Legislature. An amendment was then prepared in harmony with the views of the Bar Association, and the committee in charge of its preparation were authorized to present it to the next Legislature for their consideration. The amendment as prepared by the association was as follows:

The Supreme court shall consist of a Chief Justice and an even number of Associate Justices of not less than eight nor more than twelve, who shall hold their offices for ten years, if they so long behave well. The Chief Justice shall be elected by the voters of the entire state, and the state shall be divided into as many judicial divisions, to be composed of contiguous territory and of as nearly equal population as may be practicable, as there are Associate Justices, and one Associate Justice shall be elected by the voters in each of said divisions. The Associate Justices shall be distributed into two equal divisions upon assignment from time to time, by the Chief Justice, who shall be a member and the presiding judge of each division. Each division shall separately hear and determine all causes assigned to it by the Chief Justice, and its decision shall be final, unless in the event one or more of such judges should dissent, in which case, such cause shall be reheard and determined by the full bench. All causes involving the constitutionality of any statute, and such other causes as by reason of importance or difficulty may be assigned for such hearing by the Chief Justice, shall be heard and determined by the full bench in the first instance. In case of vacancy in the office of Chief Justice, by death or disability to act, the Associate Justices shall select one of their own number to act as Chief Justice during the vacancy occasioned by death or disability.

At the meeting in 1898 the question of a constitutional amendment concerning the Supreme court was again prominent. The committee submitted a tentative amendment including two principal features. One of these was an increase in the number of judges from five to eleven; the other increasing the term of the judges to ten years. The report was adopted only after long discussion and a rising vote. The chief objection was the lengthening of the term.

It would be an unprofitable task to follow the career of the State Bar Association through its twenty years of history. It has had brought before it many questions of wide import to the profession. At first the efforts of the association seemed to be centered on achieving reforms by legislation. A great many members now regard the better way of improving the profession and practice to be by way of educating the members. More and more the association has taken on a cultural and social atmosphere.

All phases of the field of law are of interest to the association. In order to accomplish definite results the association has a number of committees, each composed of thirteen members representing each Congressional district, which com-

mittees are given charge of special fields of investigation. A committee of thirteen looks after jurisprudence and law reform. This is sometimes done by way of resolutions brought before the association for indorsement, and sometimes by a lecture.

Another committee of thirteen has to deal with questions of judicial administration and remedial procedure. This committee studies especially the relation of judge and lawyers in the court room and the general conduct of the court and lawyers, as well as the influence of the laws themselves.

A third committee of thirteen has the question of legal education and admission to the bar. This is one of the most distressing questions which now confronts the bar. The members feel that their profession is handicapped by an antiquated constitutional provision which leaves them defenseless against quacks and mountebanks. The association has made heroic efforts to remove this obstacle by a constitutional amendment, but so far has failed.

A fourth committee of thirteen has for its field of operation the general subject of grievances. Any irregularity, any unprofessional conduct, any shortcoming anywhere, that works a hardship, is fit matter for the attention of this committee.

A fifth and last committee of thirteen looks after the publications. Little has been done along this line except the publication of an annual volume containing the proceedings of the annual meeting, together with the addresses and papers. In 1912 the *Journal of the Constitutional Convention of 1816* was reprinted in the annual volume.

Besides these, there are committees on membership, obituary notices, entertainment, by-laws, and other subjects. Each year there is also usually a special committee to study and report on some new question of general interest to the bar. The last of these committees, the one for 1915, reported on the new legislation along the line of employers' liability and workmen's compensation.

The annual program has come to have some regular features. Of the most notable are the president's address, the annual address (usually by some lawyer of national reputation) and the annual banquet. Besides these, there are the

discussions of the committee reports and the papers read by members of the association on assigned subjects. These last are valuable features of the proceedings from a historical standpoint. They show the difficulties which from time to time have confronted the profession as well as the general sentiment of the members. The following table of officers is given for reference:

Presidents.

1897—Benjamin Harrison	1908—Merrill Moores
1898—Benjamin Harrison	1909—Dan W. Simms
1899—John R. Wilson	1910—John T. Dye
1900—Robert S. Taylor	1911—William A. Ketcham
1901—Edwin P. Hammond	1912—Samuel Parker
1902—Theodore P. Davis	1913—Frank E. Gavin
1903—Truman F. Palmer	1914—John L. Rupe
1904—William P. Breen	1915—Thomas E. Davidson
1905—Addison C. Harris	1916—Robert W. McBride
1906—Charles L. Jewett	1917—William A. Hough.
1907—Daniel Fraser	

Vice-Presidents.

1897—John G. Williams	1908—Dan W. Simms
1898—John G. Williams	1909—John T. Dye
1899—Leander J. Monks	1910—Enoch D. Hogate
1900—Timothy E. Howard	1911—Thomas E. Davidson
1901—William A. Ketcham	1912—John W. Hanan
1902—George L. Reinhard	1913—John L. Rupe
1903—William P. Breen	1914—Thomas E. Davidson.
1904—Oscar H. Montgomery	1915—Robert W. McBride
1905—Daniel Fraser	1916—William A. Hough.
1906—Daniel Fraser	1917—Inman H. Fowler.
1907—Dan W. Simms	

Secretaries.

1897—John R. Wilson	1902—Merrill Moores
1898—John R. Wilson	1903—Merrill Moores
1899—Noble C. Butler	1904—Merrill Moores
1900—Merrill Moores	1905—Merrill Moores
1901—Merrill Moores	1906—Merrill Moores

1907—Merrill Moores	1912—George H. Batchelor
1908—George H. Batchelor	1913—George H. Batchelor
1909—George H. Batchelor	1914—George H. Batchelor
1910—George H. Batchelor	1915—George H. Batchelor
1911—George H. Batchelor	1916—George H. Batchelor.

Treasurers.

1897—Noble C. Butler	1907—Frank E. Gavin
1898—Noble C. Butler	1908—Frank E. Gavin
1899—Theodore P. Davis	1909—Frank E. Gavin
1900—Theodore P. Davis	1910—Frank E. Gavin
1901—Theodore P. Davis	1911—Frank E. Gavin
1902—Frank E. Gavin	1912—Frank E. Gavin
1903—Frank E. Gavin	1913—Elias D. Salsbury
1904—Frank E. Gavin	1914—Elias D. Salsbury
1905—Frank E. Gavin	1915—Elias D. Salsbury
1906—Frank E. Gavin	1916—Elias D. Salsbury.

The papers and addresses published in the proceedings of the association form the only considerable body of literature dealing in a professional way with the courts of the state. The list covers almost the whole field, though the papers are of very unequal value. The list is given below for its bibliographical value. Copies of the proceedings can be had in almost every public library.

- 1897—Benjamin Harrison, "Promoting the Administration of Justice."
 1898—The president of the Association, Benjamin Harrison, being absent,
 . the vice-president, John G. Williams, presided and talked on
 "Our Association."
 1899—John R. Wilson, "The Origin of the Power of Courts to Declare
 Legislative Acts Unconstitutional."
 1900—Robert S. Taylor, "Judges."
 1901—Edwin P. Hammond, "Evidence."
 1902—Theodore P. Davis, "Upholding the Honor of the Profession."
 1903—Truman F. Palmer, "Circuit Courts of Indiana."
 1904—William P. Breen, "Divorce."
 1905—Addison C. Harris, "Procedure Abroad and at Home."
 1906—Charles L. Jewett, "Our Code of Criminal Procedure."
 1907—Daniel Fraser, "The Courts and the Legislature."
 1908—Merrill Moores, "The Enforcement of the Law."
 1909—Dan W. Simms, "The Law and the Lawyer."
 1910—John T. Dye, "The Work of the Bar Association."

- 1911—William A. Ketcham, "Organic Law."
 1912—Samuel Parker, "The Courts of Indiana and Progressive Legislation."
 1913—Frank E. Gavin, "The Mutability of Social Institutions."
 1914—John L. Rupe, "Taxation Under Indiana Laws."
 1915—Thomas E. Davidson, "Respect for the Law."

Annual Addresses.

- 1897—Lawrence Maxwell, Jr., "The Law as a Science."
 1898—Wm. B. Hornblower, "Fifty Years of Reform Procedure."
 1899—William Wirt Howe, "Legal Ethics."
 1900—William Lindsay, "The Pacification of Cuba In Its Legal Constitutional Aspects."
 1901—Observed as John Marshall day, and an oration on "The Chief Justice," delivered by Hon. William A. Ketcham, listed in the special addresses.
 1901—William A. Ketcham, "The Chief Justice (John Marshall)."
 1902—Burton Smith, "Why Seek Ye the Living Among the Dead."
 1903—Walter S. Logan, "Legal or Legislative Remedies for Trust Evils."
 1904—Henry St. George Tucker, "Civil Liberty."
 1905—John F. Simmons, "The Territorial Expansion of The Common Law Ideal."
 1906—Horace H. Lurton, "The Evolution of the Right of Trial."
 1907—Merritt Starr, "Legislative and Judicial Development of the Law Concerning Competition Contrasted."
 1908—William L. Putnam, "The Reform of the Law."
 1909—Alexander P. Humphreys, "The Last Year With the United States Supreme Court."
 1910—Frederic J. Stimson, "The Law of Combined Action and Possession."
 1911—Peter W. Meldrim, "Master and Servant."
 1912—Stephen S. Gregory, "A Historic Judicial Controversy and Some Reflections Suggested By It."
 1913—William J. Calhoun, "Our Relations With China."
 1914—Rone G. Brown, "Muckraking the Constitution."
 1915—Andrew J. Montague, "The Monroe Doctrine."

Special Addresses.

- 1900—William Hoynes, "The Law as An Educational Factor."
 1901—William A. Ketcham, "The Chief Justice (John Marshall)."
 1908—Frederick N. Judson, "Congressional Regulation of Employer's Liability."
 1908—Will H. Whitaker, "A Closer Relation Between Prison and Reformatory Officials and the Criminal Courts."
 1909—William Dudley Foulke, "The Trouble With the Law."
 1912—Crystal Eastman Benedict, "Political Recognition of Women the Next Step in the Development of Democracy."

- 1914—Clinton Rogers Woodruff, "Constitutional Development and Municipal Life."
 1915—James H. Wilkerson, "The Next Step in National Control of Corporations."

Papers.

- 1897—John G. Williams, "Life and Character of Daniel W. Voorhees."
 1897—Robert S. Taylor, "The Inherent Function of Growth in the Common Law."
 1898—Leonard J. Hackney, "A Case on Appeal."
 1898—W. P. Rogers, "Government by Injunction."
 1898—Addison C. Harris, "The Pending Amendments."
 1899—William A. Ketcham, "The Bench and Bar."
 1899—John T. Dye, "Legislative Control Over Freedom of Contract."
 1899—Timothy E. Howard, "According to Law."
 1899—Daniel W. Comstock, "Evidence in Criminal Cases on Appeal."
 1900—Frank S. Roby, "The Legal Right of the Next Generation."
 1900—Evans Woollen, "The Law and the Striker."
 1901—Observed as John Marshall day and an oration on "The Chief Justice," delivered by Hon. William A. Ketcham, listed in the special addresses.
 1902—William L. Penfield, "Some Difficulties of Pan-American Arbitration."
 1902—George L. Reinhard, "The Right to Practice Law."
 1902—William W. Thornton, "The Constitutional Convention of 1850."
 1903—Allen Zollars, "International Arbitration."
 1903—John L. Rupe, "The Verdict of the Jury."
 1903—Frank S. Roby, "Indiana Courts of Appeal."
 1904—Charles S. Baker, "The Ethics of the Profession."
 1904—Samuel Parker, "Criticisms of Judges."
 1904—Charles W. Smith, "The Jury System."
 1905—Lucius C. Embree, "Cases and Case Lawyers."
 1905—Thomas R. Marshall, "The Lawyer's Conscience."
 1905—Arthur W. Brady, "Some Phases of Historical Jurisprudence."
 1906—John W. Kern, "Reminiscences of Some Great Indiana Lawyers."
 1906—Solomon H. Esarey, "Suggestions as to Recent Criminal Statutes."
 1906—Sidney B. Davis, "Some Needed Judicial Reforms."
 1906—Joseph M. Rabb, "The Trials of the Trial Judge."
 1906—Jesse S. Reeves, "Jeremy Bentham and American Jurisprudence."
 1907—Charles W. Miller, "Our Practice."
 1907—Charles Kellison, "The Value of Expert Testimony."
 1907—Andrew A. Adams, "Legal Ethics."
 1907—Harry B. Tuthill, "Are Corporations Ill-Treated? And Why?"
 1908—James L. Clark, "A Mixed Question of Law and Fact."
 1908—George Shirts, "Should Township Government Be Abolished?"
 1908—John T. Dye, "Changes In the Constitution."
 1909—James S. Dodge, "Indiana Courts."

- 1909—Addison C. Harris, "Modern Views of Compensation for Personal Injuries."
- 1909—Emory B. Sellers, "The State Bar Association of Indiana."
- 1909—Cassius C. Hadley, "Lawyers and Courts."
- 1910—George H. Gifford, "Crude Legislation."
- 1910—Charles W. Smith, "Some Current Criticisms of Courts and Lawyers."
- 1910—Conrad Wolf, "The Spirit of Legalism in Indiana Practice."
- 1910—George A. Cunningham, "The Everyday Lawyer."
- 1911—Timothy E. Howard, "Our Charters."
- 1911—Linn D. Hay, "Making and Amending Constitutions."
- 1911—Enoch G. Hogate, "Is There a Law's Delay?"
- 1912—W. W. Thornton, "The Constitutional Convention of 1816."
- 1912—Louis B. Ewbank, "The Trial Court."
- 1912—Chas. E. Cox, "Old Ways or Uncertain Seas."
- 1913—Harry C. Sheridan, "Comments on the Bankruptcy Act."
- 1913—Samuel E. Cook, "Our Federal Constitution: Some of the Struggles Over Its Meaning."
- 1913—Merrill Moores, "The Selection of Judges."
- 1914—Stuart MacKibbin, "Some Observations Regarding the Indiana Utility Commission Act."
- 1914—Daniel W. Simms, "Employers' Liability Legislation of 1911."
- 1914—Evans Woollen, "The American Doctrine of Unconstitutionality."
- 1915—William J. Houck, "The Evolution of Jurisprudence."
- 1915—Harry B. Tutthill, "Stub Beltz Runs for Circuit Judge."
- 1915—William A. Hough, "The Law and the Telephone."
- 1915—Richard M. Milburn, "The Fourteenth Amendment."

In addition to the State Bar Association, which enrolls about six hundred members, representing practically every county in the state, there are thirty-five county associations and three city associations. These various associations have annual meetings at which papers are read and discussed. These county and city associations as listed in the last report of the State Bar Association are as follows: Adams, Allen, Bartholomew, Clark, Clinton, Dearborn, Delaware, Elkhart (city and county), Gibson, Grant, Greene, Hamilton, Hancock, Howard, Huntington, Indianapolis, Jackson, Jasper, Jay, Johnson, Knox, Lake, Laporte, Morgan, Porter, Putnam, Randolph, Shelby, St. Joseph, Starke, Sullivan, Tipton, Evansville, Vermillion and Wabash.

CHAPTER XVII.

LEGAL EDUCATION IN INDIANA.

Legal education in Indiana has never been dealt with very positively by the Indiana Legislature. There have always been some requirements, legal or otherwise, for admission to the bar. Strange to say, the requirements are not as high now as they were at the very beginning of the territorial existence of the State. The following law of the Governor and Judges governed admission to the bar in the early territorial days, and while not as strict as the requirements in the Northwest Territory, it still represents a substantial preparation for the profession.

Sec. 1. Be it enacted, That from and after the first day of January next [1793] no person shall be admitted or practice as an attorney in any of the courts of this territory unless he is a person of good moral character and well affected to the government of the United States and of this territory and shall pass an examination of his professional abilities before one or more of the territorial Judges and obtain from him or them before whom he may be examined a certificate of possessing the proper abilities and qualifications to render him useful in the office of an attorney. And further, he shall in open court have taken and subscribed the oath prescribed to all officers by an act of the United States and an oath in tenor following:

"I swear that I will do no falsehood nor consent to the doing of any in the courts of justice and if I know of an intention to commit any I will give knowledge thereof to the justices of the said courts or some of them that it may be prevented. I will not wittingly or willingly promote or sue any false, groundless or unlawful suit nor give aid or consent to the same, and I will conduct myself in the office of an attorney within the said courts according to the best of my knowledge and discretion and with all good fidelity as well to the courts as my clients. So help me God."

Sec. 2. And it is enacted, that parties may plead and manage their own causes personally or by the assistance of such counsel as they shall see fit to engage, but the plaintiff or plaintiffs in any suit shall not be allowed to manage their cause by more than two attorneys nor shall any defendant employ a greater number. Provided, that where there shall be only two attorneys attending the courts in any of the counties of this territory neither the plaintiff nor defendant shall be allowed more than

one nor in any cause shall fees for more than one attorney be taxed or allowed.

Signed :

WINTHROP SARGENT.
JOHN CLEVES SYMMES.
RUFUS PUTNAM.

From above date down to 1807, the time of the John Rice Jones Revision, the requirement for admission to the bar was considerably lowered, as is shown by the following statute taken from the Revision of 1807:

1. No person shall be permitted to practice as an attorney or Counsellor at Law, or to commence, conduct, or defend any action, suit or plaint, in which he is not a party concerned, in any court of record within this Territory, either by using, or subscribing his own name, or the name of any other person, without having previously obtained a license for that purpose from any two of the Judges of the General Court, which license shall constitute the person receiving the same, an Attorney and Counsellor at Law, and shall authorize him to appear in all the courts of record within this Territory, and there to practice as an attorney and counsellor at law, according to the laws and customs thereof, for, and during his good behavior in the said practice, and to demand and receive all such fees as are, or thereafter may be established, for any service which he shall, or may do, as an attorney, and counsellor at law in the said Territory..

2. No person shall be entitled to receive a license as aforesaid, until he hath obtained a certificate from the court of some county, of his good moral character.

The long struggle of a century for higher qualifications to enter the profession is not without historical significance. There was among the early settlers of Indiana a deep-seated distrust of expert knowledge or service. Their experience with the English court lawyers under the Stuarts had not been more palatable than their experience with preachers appointed in the state, or with royal governors in America. During the hundred years of their migration across the Alleghanies they had become accustomed to the pioneer lawyer of the Jackson type and the turbulent courts. They instinctively feared the toils of the Common Law. Its mysterious processes and intricacies, especially in connection with real estate, always seemed to work to the disadvantage of the poor man. Not hundreds but thousands of settlers in early Tennessee and Kentucky lost their lands, not because of a lawyer, but for lack of legal advice. The land company or large purchaser

invariably employed a competent attorney, while the poor settler, if he had any attorneys at all, had some backwoods shyster who depended on an oily tongue to win his case. In criminal cases these loud-mouthed lawyers often won, but in the far more important field of the real estate law they were a failure. They assured their clients that their defeats were due to some collusion between the lawyer and court, since the important questions in land cases had to be tried before the court rather than the jury. A large number of these ousted settlers from Kentucky and Tennessee came to Indiana in the early days.

The Western folks had two patron saints in all public concerns. They were Jefferson and Jackson. These men appealed to the two classes of settlers. The men who made the Constitution of 1816 drew their political inspiration directly from reading Jefferson's writings. They were followers of Jefferson because, after mature deliberation, they believed in his political philosophy. There can hardly be a doubt but that they contemplated a school of law as one of the constituent schools of their State University. Such men as Joseph Holman, Robert Hanna, David Maxwell, James Scott, Davis Floyd, William Polke, and especially Benjamin Parke, showed plainly in later life that such was their ideal.

Before the state was financially able to carry out these early ideals of a State University, another tremendous force had entered Indiana's political life. This was the second force mentioned above—Jacksonian Democracy. The views of Jackson found ready acceptance instinctively among the western settlers. Jackson was not altogether responsible for the democracy which bore his name, but he better than anyone else expressed it. This spirit, or force, or prejudice, or whatever it may be called, was opposed to professionalism and to professional schools; partly because they tended to make classes in society and partly because a professional man was a menace to the plain people. With such instinctive opposition as this, it was found very difficult to found a law school in Indiana.

The pioneer law school in the state was that of Indiana University. It seems certain that it was in the minds of the trustees of the university from the start to establish a law

school, but no definite attempt seems to have been made until about 1835. The exact date cannot be ascertained because the records were lost in the fire of 1883.

The following loose note, apropos of the first law department of the university, may throw some light on the situation :

Resolved, that in the opinion of the board a professorship of law should be established, to be connected with the college.

That the law term should consist of four months, from December 1 to March 31.

That the salary of the professor shall be three hundred dollars, to be paid as other salaries of the college officers, and that he also be entitled to dispose of lecture tickets for his own benefit, the price of which shall not exceed ten dollars per term.

From the names connected with this it is certain that it happened between 1835 and 1838. Isaac Blackford, then a justice of the Supreme court, was unanimously elected as the first professor. No further account of this transaction can be found, but it is certain that Judge Blackford did not accept. It was not, of course, expected that he would resign his position on the bench for a three hundred dollar professorship, but it was thought that he could unite the two positions. No doubt the fifty miles of wilderness between Indianapolis and Bloomington had something to do with his refusal.

Again there is a memorandum preserved to the effect that on September 20, 1837, the board elected Charles Lewis professor of law. Who Lewis was, does not appear.

In 1838 Indiana College became Indiana University. At the very first meeting of the university board, under date of September 25, 1838, Judge Miles C. Eggleston was chosen professor of law, but he was either unable or unwilling to accept. A number of other lawyers in the state were offered the position, but no one accepted. Things thus went on till 1841, when Tilghman A. Howard was elected. He had been a resident of Bloomington and as a large number of his relatives were still living there, it was thought he would accept—but he did not. However, in the same year, Judge David McDonald, then on the Monroe Circuit bench, was elected, and became the first professor of law in Indiana. In 1843 there were five graduates and in 1844 there were eight.

This was not considered by the board more than a mere

preliminary to the real law school which they hoped to establish. The work covered two years, a junior and senior. The former might be taken by persons not preparing for the bar. It consisted of International law, Constitutional Law, Common Law and Equity. The seniors were required to attend one more year of lectures in which the art of practicing was emphasized. The professor, who was one of the best trial judges in the state, held moot court once a week in which the students got training in drawing pleadings, arguing legal questions and cases previously assigned, and in delivering opinions. The school prospered under his control, drawing students from all parts of the state and even from neighboring states.

In 1847 the school had so far prospered that an associate professor, Judge W. T. Otto, was secured. The new professor was a graduate of the University of Pennsylvania. He thus added scholarship to his professional ability, a combination the university has always stood for when possible. Sketches of both these men are given elsewhere in this volume. In 1851 Judge Otto resigned and in 1853 Judge McDonald retired. The work was largely a labor of love then, as it has remained since. The salary has rarely been half what an ordinary lawyer could make in active practice. The local bar has never offered much opportunity for the law professor to carry on an active practice, such a combination as can be made in larger cities.

Judge James Hughes succeeded Professor McDonald, serving two years, until he took his seat in Congress. Some of Judge Hughes's lectures are still extant, showing the character of the instruction then given. Judge Hughes did not resign his position until 1857, his place being taken during his absence at Washington by A. B. Carlton.

A sketch of Judge Hughes has already been given. Ambrose B. Carlton was born, December 18, 1825, in Lawrence county. He was educated in the common schools and the academy. He graduated from Indiana in 1849 with the degree of Bachelor of Laws. He sat on the Circuit bench two terms and was prosecutor two terms; served in the General Assembly; in 1883 was chairman of the Utah Commission; He devoted a great part of his time to literature and to writ-

ing law books. During his later years he practiced at Terre Haute.

In 1857 Col. James Ray McCorkle Bryant succeeded Judge Hughes as professor of law. He was born in Philadelphia, June 25, 1802, of Revolutionary parents. He was educated at Gray and Wylie's Academy and the University of Pennsylvania. He at once took up the study of law and was admitted to the bar in 1835. For a number of years he served in the general land office at Washington and then came to Crawfordsville, where, in 1844, he was an unsuccessful candidate for the Legislature. He represented Warren county in the Legislature in 1827, 1847, 1848 and 1851. In 1838 he was on Col. John Tipton's staff. In 1850 he sat in the Constitutional Convention from Warren county. From 1856 to 1861 he was professor of law. In 1861 he enlisted and on February 25, 1866, died from the effects of a wound received at Rich Mountain, Virginia.

Judge George Augustus Bicknell followed Bryant as professor of law, his appointment dating from 1861. Bicknell was born in Philadelphia, Pennsylvania, February 6, 1817. Like his predecessor, he was a graduate of Wylie and Engle's Academy (1828), and of the University of Pennsylvania in 1831. He graduated from Yale Law School and in 1864 received a degree of Bachelor of Laws from Indiana. He located in Scott county, Indiana, in 1846; in 1848 he became prosecutor; in 1852 Circuit Judge; from 1861 to 1870 he was professor of law in Indiana University; served as a Democrat in Congress, 1877-1881; Supreme court commissioner, 1881-1885; Circuit Judge, 1889 until his death in New Albany, April 11, 1891. He was the author of "Bankrupt Law," 1841; "Civil Practice," 1863; "Criminal Practice," 1866. He married Elizabeth Haskins Richards at Batso, New Jersey, May 28, 1840.

During the last years of the service of Judge Bicknell he was assisted by John Upfold Pettit, of Wabash, Indiana. The latter served one year as professor. Both resigned in 1870 and Samuel E. Perkins, of Indianapolis, then one of the most widely known lawyers in the state, was made the head of the department. His biography is given under the Supreme court, of which he was long a member. At the same time

(1870) Baskin E. Rhoads was chosen a professor of law with Judge Perkins. He served until the close of school in 1877.

Rhoads was born near Philadelphia in 1834. One year later the family moved to Rockville, Indiana. He was educated in Waveland Academy and Wabash College, graduating in 1860. He taught until 1862, when he began practice at Newport, where he was practicing when called to the professorship. He served in the Legislature in 1864; on the Superior bench of Vigo county, 1881-83.

Judge Perkins resigned in 1872 and his place was taken by Delana R. Eckels. Eckels was born August 19, 1806, in Fleming county, Kentucky. He had no college education, but by the age of twenty-one had been admitted to the bar. He served in the Mexican war as a captain. He sat in the General Assembly in 1836. He was the first mayor of Greencastle and in 1853 organized and supervised the free schools of that city. He served six years on the bench of the Sixth circuit (1864-70). He died at Greencastle, November 5, 1888.

Eckels served as professor of law only one year and was succeeded by Cyrus F. McNutt, of Martinsville, who served till the school was closed in 1877. McNutt was born July 29, 1837, in Johnson county; educated at Franklin (not a graduate), and was a practicing attorney most of his life at Terre Haute.

The Legislature of 1876 was in an economical mood and reduced the salaries of the teachers in the university so much that it was found necessary to close the law school. The law school at the time seemed prosperous. There were forty-one students enrolled in it, and twenty graduates the year before the discontinuance. This seems to have been one of the largest classes in its history, though the preceding one numbered nineteen; that of 1872 numbered twenty-five; that of 1871, thirty-two. In these years the graduates of the law school outnumbered those in the school of liberal arts. The first graduating law class, that of 1844, contained five members. The thirty-four classes totaled three hundred and seventy-seven, or an average of eleven.

In ordering the school opened, the trustees, as stated in the catalogue of 1841-42, the first containing an announcement of the law school, had said, "Nothing less than the

building up of a law school, that shall be inferior to none west of the mountains; one in which the student shall be so trained that he shall never, in the attorney, forget the scholar and the gentleman."

After a suspension of thirteen years, the law department of the university opened again in the fall of 1889. Judge David Demaree Banta, dean of the school, and Ernest W. Huffcut, professor of law, were the teachers. A two-year course was required, the first known as the junior, the second as the senior year. During the first year the regular teachers were aided by William P. Rogers, acting instructor in Equity Jurisprudence, and Alexander F. McNutt, who taught Real Estate law. At the opening of the school in the fall of 1893, William P. Rogers took the place of Professor Huffcut as professor of law.

Professor Huffcut was born at Kent, Connecticut, November 21, 1860. He graduated from Cornell in 1884; from Cornell Law School in 1888; practiced law in Minneapolis from 1888 to 1890; was professor of law at Indiana University from 1892 to 1893; at Cornell University from 1893 until 1903; and was dean of law at Cornell from 1903 until his death. Professor Huffcut killed himself on a Hudson river steamboat in 1907. He was author of the following publications: "American Cases on Contracts" (1894), "Elements of Business Law" (1905), "Law of Agency" (1895) and "Law of Negotiable Instruments" (1898).

William Perry Rogers was born near Bloomington, March 3, 1857. He graduated from Indiana University law school in 1892, and the school of liberal arts in 1895. He was admitted to the bar in 1881; practiced law in Bloomington from 1881 to 1892; was professor of law from 1892 to 1902, being dean from 1896 to 1902. Since 1902 he has been dean of the Cincinnati Law School.

In the fall of 1894, Charles A. Rhetts became associate professor of law. Rhetts had graduated from Indiana University in 1889 and had taken his Doctor of Law degree at Columbia University in 1892. He died at Bloomington, August 26, 1898.

In 1895 Dean Banta died and his place was taken by Professor Rogers. William E. Clapham was secured as an in-

structor to help fill the vacancy. He had graduated the year before in the literary department and in 1896 received the degree of Bachelor of Laws.

In the fall of 1896, George L. Reinhard became professor of law, serving as such until 1902, when he took the place of Dean Rogers. In the fall of 1898, William E. Clapham took the place of Professor Rhetts, and with the opening of the year 1901-1902, Herdis F. Clements became assistant professor. Clements had graduated from the law school in 1896. He later practiced in Mt. Vernon, where he is now serving as Circuit Judge.

During the year 1903, a general reorganization was effected. George L. Reinhard became dean, Enoch G. Hogate became professor of law, with R. M. Milburn and Francis M. Springer assisting in the teaching. Entrance requirements equal to graduation from a commissioned high school were required.

The case method of teaching was inaugurated in nearly all courses. The course was extended to include three full years' work. In 1904 Charles M. Hepburn became a professor in the department. Charles McGuffey Hepburn, a son of Andrew and Henrietta (McGuffey) Hepburn, was born in Rockbridge county, Virginia, August 19, 1858. He received the degree of Bachelor of Arts in Davidson College, North Carolina, in 1878; Bachelor of Laws from the University of Virginia in 1880; Doctor of Laws from Miami University in 1908. He was in charge of the preparatory department of Davidson College in 1880-81. He was admitted to the Ohio bar in 1881 and practiced at Cincinnati from 1881 to 1903. From 1897 to 1903 he was a lecturer on code pleading in the University of Cincinnati. Since 1903 he has been professor of law in the University of Indiana. He is the author of a number of legal books, among them being the following: "Historical Development of Code Pleading in America and England," 1897; "Cases on Code Pleading," 1901; "Parties to Action" (in "Cyc. of Law and Procedure"); "Introduction to Study of Torts," 1910. He married Julia Benedict, of Marietta, Georgia, October 10, 1891.

William Henry Beeler, who took his Bachelor of Laws degree the year before, was made an instructor in 1904. Pro-

fessors Hogate, Hepburn and Beeler are still members of the faculty.

In 1907 a five-year combination course of arts and laws was provided. This was virtually a degree of Bachelor of Arts with law as a major, with the permission to take the degree of Bachelor of Laws after one year of study. Dean Reinhard died on July 13, 1906, and Professor Hogate took his place. Professor Hogate was born September 6, 1849, at Centerton, New Jersey. He graduated from Allegheny College, Pennsylvania, in 1872. From 1872 until 1903 he practiced law at Danville, Indiana, teaching law in the Central Normal College part of the time. Since 1903 he has been professor of law at Indiana University and has been dean of the law school since 1906.

Judge Woodfin D. Robinson became a professor of law in 1908, but remained only one year and was succeeded by Jesse J. M. LaFollette. Edwin R. Keedy was assistant that year. Professor LaFollette was born on a farm in Jay county, Indiana, September 12, 1846. He is of Welsh-Huguenot lineage. He was educated at Liber College and while teaching read law with E. L. Watson and L. J. Monks at Winchester. He practiced at Portland, Indiana, served in the army during the Civil War, and served in the Legislature occasionally. From 1897 to 1909 he was assistant United States attorney for the district of Indiana. Since 1909 he has been professor of law at Indiana University.

During the year 1909-1910, Professor Hepburn was absent on leave and his place was filled by John C. Barclay, a graduate of Backus Law School, Cleveland, Ohio. In 1911, Chester G. Vernier was elected professor of law and taught two years. He was reared at Liberty, Indiana, graduated from the Chicago University law school, and had taught at Nebraska University before coming to Indiana. He is now a professor in the University of Illinois. Professor Vernier was succeeded by Archibald H. Throckmorton as professor of law. He served until 1915, when he was called to Backus College and John Lewis Baker was secured in his stead.

During the year 1911 the entrance requirements were raised to include two years of college training above the high school, the three-year course adopted in 1901 being retained.

DEPAUW UNIVERSITY LAW SCHOOL.

DePauw University first established a law department in the fall of 1853, with John A. Matson in charge. A regular course of instruction was given and eight students were enrolled during the first year. In the fall of 1854 Alexander C. Downey was placed in charge of the department and he remained with the university in this capacity until 1858. During this period the number of students ranged from ten to twenty, with an average enrollment of fifteen. John A. Matson again became the head of the law department in 1858 and guided its destinies until the close of the school year, 1860-61. There were only six students in the department the last year and the coming on of the Civil War affected the attendance to such an extent that it was decided to discontinue the law department in 1862. John Cowgill, who had the department in charge during 1861-62, only had four students and as it was manifestly impossible to continue the department as long as the war was in progress, it was discontinued in the spring of 1862.

After a lapse of nine years the university decided to reopen the law department and in the fall of 1871 Alexander C. Downey was again placed at the head of the department. Among the lecturers of the department during 1871-72 may be mentioned Solon Turman, Addison Daggy, Frederick T. Brown, Delano E. Williamson and William A. Brown. Seventeen students were enrolled during the year 1871-72. The two succeeding years (1872-74) showed that the attendance hardly justified the continuance of the department, since there were only ten students in 1872-73, and but six during the following year. William A. Brown was dean of the law school during these two years and with the close of the school year in 1874, it was decided to discontinue the department. For seven years the university was without a law department. In the fall of 1881 John Clark Ridpath was made the dean of the law department by the board of trustees. Professor Ridpath was assisted in the department by Jonathan Birch, Granville C. Moore and Henry H. Mathias. Twelve students were enrolled during the year 1881-82, but it was felt that the attendance hardly justified the maintenance of the school. Conse-

quently the department was discontinued in 1882, but two years later the board of trustees for the fourth time established a law department.

The law school, as re-established in 1884, was destined to maintain a successful career for the next decade. Alexander C. Downey was made dean of the law school and continued in this capacity until 1890. Henry M. Mathias, Jonathan Birch and Granville C. Moore assisted Dean Downey as long as he was in charge of the school. During the year 1886-87 Joseph Carhart and James R. Weaver lectured before the school. The attendance from 1884 to 1890 was very satisfactory, the enrollment being as follows: 1884-85, 17; 1885-86, 55; 1886-87, 25; 1887-88, 27; 1888-89, 24; 1889-90, 30.

In 1890 Augustus Lynch Mason became dean of the law department and continued as head of the school until 1893. During 1890-91 Dean Mason was assisted by Henry H. Mathias, Jonathan Birch and Granville C. Moore. The following two years, James R. Weaver, Byron K. Elliott, William P. Fishback, John L. Griffiths and William F. Elliott were lecturers in the department. During these three years (1890-93) the attendance was 49, 48 and 51, respectively.

In 1893 Charles F. Coffin was elected dean of the law department. His assistants were Silas A. Hays, William F. Elliott, James R. Weaver, John L. Griffiths and William P. Fishback. Although the attendance during this year (1893-94) was 37, the board of trustees decided to discontinue the department. The University has not maintained a law department since 1894.

During the continuance of the law school, a total of one hundred and eighty-seven students received the degree of Bachelor of Laws, and many more than that number received part of their legal education in the university. The school was always in charge of the best lawyers obtainable and many of its graduates later became prominent members of the bar.

TRI-STATE COLLEGE LAW SCHOOL, ANGOLA.

Tri-State College, located at Angola, Indiana, established a law department in 1902 and placed it in charge of D. R.

Best, as dean, one of the leading members of the bar of that city. Dean Best has remained at the head of the department since it was organized. He has been assisted by the strongest members of the local bar, viz.: A. C. Wood, E. A. Bratton, C. C. Carlin and C. A. Yotter. The late Frank Powers, who died in February, 1915, while on the Appellate bench, was a valued instructor, as was the late J. A. Woodhull.

The course covers two years. The department combines the lecture, text book and case methods of instruction in such a way as to secure the best results. Moot courts are maintained and, as far as possible, they are made the counterpart of real courts. Since the establishment of the department in 1902 there has been a total of thirty-five students enrolled, ten of whom have graduated. During the year 1915-16 the department enrolled six students.

The college has no law library, but the students have access to the Circuit court library and the private libraries of the members of the bar in Angola. The standard text books, such as Kent, Readfield, Parsons, Greenleaf, Cooley, Addison, Biglow, Story, Dillon, Kerr, Roher, Bishop and Washburn, are used. The first year's course covers Elementary Law, Contracts, Criminal Law and Procedure, Torts, Domestic Relations, Agency, Evidence, Real Property, Personal Property and Sales and Municipal Corporations. The second year's course covers Code Pleading, Constitutional Law, Equity Jurisprudence, Mortgages and Liens, Partnership, Private Corporations, Court Practice, Wills and Administration, Damages and Legal Ethics.

INDIANA LAW SCHOOL, INDIANAPOLIS.

The Indiana Law School, the department of law of the University of Indianapolis, was organized in 1894. Prominent in the organization were Byron K. Elliott, William P. Fishback, Addison C. Harris, John R. Wilson, Charles W. Fairbanks and William C. Bobbs. Mr. Fishback was chosen the first dean and held that office until his death in 1901, when he was succeeded by the present dean, James A. Rohbach. The school was practically a lecture school until 1899, when, under the direction of Mr. Rohbach, who was then secretary

of the faculty, the course of instruction was changed largely to the text-book and case method. In recent years the school has developed the case method as the foundation of instruction in all principal courses. A two-year course of study was conducted from the foundation of the school until 1916, when the course was enlarged to three years' work and the requirements for admission were materially raised.

Students have access to the state law library, the Indianapolis Bar Association library, the state and city general libraries, besides the school library. Students have opportunity to study judicial procedure from the actual trial of causes, as the Supreme and Appellate courts of the state, the Marion county courts, the United States courts, and the municipal courts are in session continuously throughout the school year.

Graduation from the Indiana Law School entitles the student to be recommended for admission to practice, without further examination, in the state of Indiana. Every candidate for the degree of Bachelor of Laws must successfully pass an examination upon all the subjects of the entire course of study, with a grade of not less than seventy-five per cent. in each subject.

The faculty at present is as follows: James A. Rohbach, Addison C. Harris, Charles W. Moores, Henry M. Dowling, Edward M. White, William F. Elliott, James M. Ogden, Willitts A. Bastian, Frank B. Ross, Howard W. Adams, Fremont Alford, Harry C. Hendrickson, Richard V. Sipe and Noble C. Butler. The dean's office is at 1117-18 Law building. The school is located on the third floor of Castle Hall on East Ohio street, between Delaware and Alabama streets.

BENJAMIN HARRISON LAW SCHOOL, INDIANAPOLIS.

The Benjamin Harrison Law School is a combination of and a successor to the Indianapolis College of Law and the American Central Law School. The former was organized in 1898 and the latter a few years afterward. The school now has class rooms on the third floor of the Lemcke Building, Indianapolis. It was founded as an institution where ambitious persons, including those engaged in daily vocations, might pursue a thorough and standard course of legal study

at the lowest possible cost. Under the direction of experienced law instructors, the Benjamin Harrison Law School is now successfully conducted as an evening school.

The faculty at present is as follows: Edward W. Felt, dean emeritus; William W. Thornton, chancellor; Theophilus J. Moll, dean; Sumner Clancy, associate dean; William R. Forney, secretary-treasurer; Ulric Z. Wiley, professor of law; Charles J. Orbison, professor of law; and Frederick R. Bonni-field, Clifton R. Cameron, Daniel Crockett, Thomas A. Daily, Edward L. Dietz, William P. Evans, Oscar R. Ewing, Henry S. McMichael, Hiram B. Patten and William M. Thompson, instructors.

The school is located near the city, county, state and federal courts, where questions calling for the application of almost every possible phase of legal principles are constantly arising and being litigated. The class hours are such as to enable the student to attend court without interference with his recitations. Free access and use can be had of the libraries of the Indiana Supreme court, the Indianapolis Bar Association and the general libraries of the state of Indiana and the city of Indianapolis.

Students who have completed the course of study of any commissioned high school or who have been enrolled in any recognized literary or scientific college are eligible to entrance without examination. Others must establish their efficiency by acceptable proofs. Applicants to the junior class must be at least eighteen and to the senior class at least nineteen years of age. An applicant must be a Caucasian of good moral character. Women are admitted.

The course of study represents two years' work and is a blending of the three standard methods of instruction, namely: The lecture system, the case method and text-books. Recitations are held from six to eight p. m. each week day except Saturday. Sessions of the junior moot and the senior practice courts are held on alternate Fridays. The entire courses are arranged to present the fundamental topics of the law during the first year, and the more technical and specialized subjects during the second year.

In addition to the regular schedule, special lectures are given upon Federal Procedure, International Law, Legal

Bibliography and Legal Ethics. Each candidate for a degree must submit a thesis upon a subject approved by the faculty. Students who satisfactorily complete the course receive the degree of Bachelor of Laws. A diploma from this school admits the graduate to practice in all state and local courts of Indiana as well as the United States District court, provided the candidate is over twenty-one years of age, has resided in Indiana at least six months and is of good moral character. In 1915 degrees were conferred on twenty-one graduates.

CENTRAL NORMAL COLLEGE SCHOOL OF LAW, DANVILLE.

The first instruction in law in the Central Normal College was in 1878 and consisted of lectures by members of the Danville bar, given to the entire school. The catalogues of 1878-79 and 1879-80 contain the name of Newton M. Taylor as professor of law. There was one lecture each week, to the entire school. It appears that Taylor gave one-half of the lectures and other members of the bar the remainder. L. M. Campbell, John V. Hadley, T. J. Cofer, Enoch Hogate, Richard Blake, Charles Foley, and perhaps others, participated. At that time there were no classes in law, and after 1880 the plan was discontinued.

In 1889 a course in law was announced. The first class was organized November 12 of that year, with James L. Clark as instructor. Thirty-three students were enrolled the first year. As members of this class we note the names of Philip Zoercher, now reporter of the Supreme court; W. R. King, chief counsel for the United States reclamation service; Judge J. M. Rawley; George T. Pattison, member of the Danville bar; Thomas C. McReynolds, of Kokomo; Henry Bray and J. E. McIntyre, law partners in Denver, Colorado, and Hon. E. F. Barker, of Walla Walla, Washington.

The course was gradually lengthened from the original time of one year until now it requires twelve terms. This makes the standard four-year course. Due to the fact that the college is in session four full terms each school year, a student can complete the course in three calendar years.

The instruction has been by the recitation plan, more than by lectures. The theoretical may have been, at times,

neglected for the practical. There has been much preparation of cases and moot court practice. The Danville bar and court extend every courtesy and aid to students.

The law course has always been combined with college course studies. Rarely does a law student have a full program of professional classes. There is an opportunity to select language, mathematics, science, economics, philosophy, history and bookkeeping. This fact brings to the college many mature men who have not had an opportunity to complete a high school or a college course. Law students are always to be found in the geometry classes. The college law library is not extensive, but contains an excellent selection of reference works. The Circuit court library and the private libraries of the Danville lawyers are open to students. Text books are changed from year to year, but the Hornbook series has been most used.

Following Mr. Clark, these men have been in charge of the department: Thad. S. Adams, 1896 to 1900; Otis E. Gulley, 1900 to 1902; John McCormick, 1902 to 1904; Solon A. Enloe, since 1904. Edgar M. Blessing is now a regular member of the faculty.

The following men have, at times, taught classes: T. J. Cofer, E. G. Hogate, George C. Harvey, Robert T. Hollowell, Charles Foley, George T. Pattison, George Easley and Ralph Huron. There may have been others, since there is not a complete record. There have been one hundred and seventy-eight graduates of the law department since 1889. The attendance in the department from 1889 to 1916 totals more than seven hundred.

CHAPTER XVIII.

LAW LIBRARIES.

The first statutory provision for a state law library was not made until after the adoption of the Constitution of 1851. However, a law library was maintained under the old Constitution, although there was no statute governing it. The founder of the present state law library was Benjamin Parke, the first Judge of the United States court for the District of Indiana, who donated a few legal volumes to the library of the state. Such legal books as were required by the state prior to 1852 were kept in the regular library of the state and were not even given a separate place on the shelves. From time to time other lawyers donated volumes to the state and it is probable that a few were purchased. On the shelves of the present law library are found several volumes from the library of General W. Johnston, but it is not known whether he donated them or sold them to the state. The growth of the library during the old Constitution was very slow, due in a large measure to the fact that there were few regular text books and also to the fact that there were few United States and State reports published at the time. The great mass of legal literature which fills the shelves of the present law library is the product of the last fifty years.

Before the middle of the last century, American legal text books were rare and English text books were very few in number in this country. It is true that such legal writers as Coke, Kent and Hale had issued volumes, but prior to 1852 there were less than a paltry dozen of text books by Indiana writers. At the present time the law library contains the writings of nearly one hundred Indiana authors, covering a wide variety of subjects. The first law library was undoubtedly kept in the governor's house in the Circle, and, after the completion of the state house in 1835, such legal books as

were then on hand were transferred to the new capitol building and placed with the books of the state library. After the new Constitution was adopted, a statute was passed on May 27, 1852, requiring the state librarian to keep the law books in a separate place in the library.

The law library, as now constituted, dates from the act of March 9, 1867, which provided for separate rooms for the law books then in the state library. They were placed in the keeping of the Supreme court and the act further provided that the court should purchase such books from time to time that they might deem advisable and also make rules and regulations concerning their use. The rooms selected for the law library were on the second floor of the state house and, according to the old lawyers who frequented the rooms, it was an extremely hazardous place to reach. A narrow and steep stairway led from the first floor to the rooms, two in number, one of which was used by the Supreme court as a consultation room. Here the library remained until the state house was torn down in 1877.

The present quarters on the second floor in the north-eastern part of the state house were occupied for the first time in 1888. The library has grown to such dimensions that the present quarters are wholly inadequate and additional room is imperatively needed. Within a year after the library moved into its present location the Legislature made appropriations for the issuance of a catalogue under the supervision of Charles E. Cox, who was then librarian. His volume of 416 pages covered all of the works then in the library and proved to be a very helpful book for those who wished to consult the library. In 1898 a second catalogue was issued by John C. McNutt, librarian, and some idea of the rapid growth of the library may be seen when it is noted that this catalogue contains 725 pages. No catalogue has been issued since 1898.

The library ranks high among the state law libraries in the country and contains not only the statutes and court decisions of the United States and of the various states of the Union, but also a well selected list of legal works from foreign countries. The library is particularly rich in legal periodical

literature, both America and English. A complete set of the Canadian reports and legal periodicals is found on the shelves. The library also boasts as complete a set of the Australian reports as may be found in any state in the Union. An effort has been made at all times to obtain the best legal text books as they are issued and there is no text book of any importance published in the United States which does not find a place on the shelves. It is interesting to note that many volumes have been purchased at a high price; many have cost from fifty to one hundred dollars a volume and twenty dollars a volume is not an unusual price. Fortunately, many of these high priced works were obtained before they reached their present value, being purchased at a time when their value was very low compared with what it is today. The purchase of books is in the hands of the Supreme court, which has the power to purchase books and issue an order on the general fund in the state treasury for the payment. The state now purchases five hundred volumes of each Indiana Supreme and Appellate court report and, after supplying the state offices and inferior courts of the state, deposits the remainder of the volumes in the law library for exchange or sale. The court reports of other states are secured by exchanging volumes of Indiana reports. In the same way the library obtains the legislative acts of all the other states of the Union.

The first regular law librarian was provided for by the act of February 1, 1867, but the nominal salary attached to the office was insufficient to justify the full time of a librarian. The act of March 11, 1895, placed the office on a salary of fifteen hundred dollars a year, since increased to eighteen hundred dollars. The salary of the assistant librarian, who also acts as messenger of the Supreme court, is twelve hundred dollars. The last Legislature made an appropriation of twenty-five hundred dollars for the purchase of books during 1915 and 1916.

The first librarian was William C. Lamb, who took charge of the library in 1867. His successors have served in the following order: John Graham, James M. Cropsey, Frederick Heiner, Charles E. Cox, William W. Thornton, John C. McNutt, Hoyt McLane, Omar O'Harrow and W. Carey Carson.

CIRCUIT COURT LIBRARIES.

Each Circuit court in the state has a library in the court house, the maintenance of which depends upon the generosity of the county commissioners. Practically all the county court libraries have a complete set of the Indiana Supreme and Appellate court reports as well as the various volumes issued by Indiana jurists on civil and criminal procedure. Not a single library has a complete set of the Indiana statutes. These libraries are of varying value; some have not more than two hundred volumes, others as many as a thousand and a few have more than two thousand volumes. The best county library in the state, outside of Indianapolis, is in Allen county. A large number of the libraries suffer at the hands of lawyers who take books out and forget to return them.

CHAPTER XIX.

STATUTORY AND DOCUMENTARY MATERIAL OF INDIANA.

The first attempt to codify a system of laws for the guidance of man was made by Moses. When he was given charge of all of his countrymen, he was inspired to draw up some sort of code which should guide them in their actions one with another. How wise a man Moses was and how much he knew of human nature may be a question of dispute. We can look back over the thousands of years which have elapsed since he sat down to compose a system of laws, a code, as it were, which should form the groundwork for the administration of justice and equity. Whether crimes were few or undefined in his day or whether he was a wise legislator, we can not say; but the fact remains that he summed up in his code—his constitution, it might be called—those infractions of right conduct which seemed to him should be prohibited by law.

And they were ten in number. In other words, Moses found ten crimes which he felt of sufficient importance to justify specific mention in his code. It has been said that the basis of all of our laws against crimes of all kinds may be traced back to one or the other of the Ten Commandments. Some of these are short and to the point; the simple prohibitions pronounced by Moses against murder, stealing, lying, adultery, Sabbath breaking, profanity and covetousness, have been enacted into statute by every civilized nation.

It is a long step from the Mosaic code of antiquity to the Constitutional Convention held in Indiana in the summer of 1816, but the same spirit which animated the law-giver of ancient times permeated the members of the Constitutional Convention which met under the elm tree at Corydon. Those forefathers of ours of a century ago were not men of wide learning or pronounced ability, but there was not one among them who did not know his Mosaic code. The Hebraic idea of moral justice has colored the laws of every nation; the

Greek, the Roman, the French, the German and the English systems of jurisprudence testify to the influence of Moses.

As justice is administered today, it is conceived of as a civil rather than a moral duty of the state. All our laws may be considered as falling into three classes, namely: the common law, constitutional law and statutory law. The expression "common law" is not easy of definition. Kent, one of the greatest of legal writers, says in his *Commentaries* (Pt. II, Lect. XVI, p. 333, seq.) concerning common law: "United States, in their national capacity, have no common law, and their courts have not any common law jurisdiction in criminal cases. We have not, under our federal government, any common law, considered as a source of jurisdiction; while, on the other hand, the common law, considered merely as a means or instrument of exercising the jurisdiction, conferred by the Constitution and laws of the Union, does exist, and forms a safe and beneficial system of national jurisprudence."

It is not generally known that as early as 1818 the General Assembly of Indiana recognized the common law of England as applicable to Indiana. An act of the Legislature approved January 2, 1818, and reaffirmed in the Revisions of 1824, 1831, 1838 and 1843, states in an emphatic way the value of the common law in Indiana jurisprudence. The act follows: "Be it enacted by the General Assembly of the State of Indiana, That the common law of England, all statutes or acts of the British Parliament made in aid of the common law, prior to the fourth year of the reign of King James the First, excepting the second section of the sixth chapter of forty-third Elizabeth, the eighth chapter, thirteenth Elizabeth, and ninth chapter, thirty-seventh Henry Eighth, and which are of general nature, not local to that kingdom, and not inconsistent with the laws of this state; and, also, the several laws in force in this state, shall be the rule of decision, and shall be considered as of full force until repealed by legislative authority." (Revised Statutes, 1843, p. 1030.) This act, therefore, with exceptions as noted, established the common law of England, as defined by acts and statutes prior to 1607, as an integral part of the laws of Indiana. The English common law—specifically the unwritten law of that country, the *lex non scripta*—is a system of jurisprudence originating in custom or usage, as distinguished

from statutory law, and gathered chiefly from the reports of adjudicated cases and the works of commentators.

Constitutional law is that branch of jurisprudence which sets forth those general principles of law that concern the political structure of society; a constitution should embody positive rules of organic law and indicate in a definite manner the legislative enactments necessary for its application. Generally speaking, a constitution, such as Indiana possesses, prescribes the limits of the three branches of government, executive, legislative and judicial. For instance, the 1850 Constitution, in speaking of Circuit courts, says: "The Circuit courts shall consist of one judge and shall have such civil and criminal jurisdiction as may be prescribed by law."

Statutory law is that provided by legislative enactment and is written law as contradistinguished from unwritten or common law. The statutory law of Indiana consists of the acts of the Governor and Judges (1800-1805), the acts of the General Assembly of Indiana Territory (1805-1816), and the session laws of the State of Indiana issued annually from 1816 to 1852 and biennially since 1852. In addition to the acts of the regular sessions, there have been ten special sessions since 1852, these sessions being called in 1858, 1861, 1869, 1872, 1875, 1877, 1879, 1881, 1885 and 1908. General revisions of the laws by the authority of the General Assembly have been made in 1807, 1818, 1824, 1831, 1838, 1843, 1852 and 1881. A number of other revisions of the laws have been issued as private ventures and as far as their validity is concerned they have, with one exception, been given equal recognition by the courts with those revisions authorized by the Legislature.

The one exception refers to the three-volume edition issued in 1888 and 1892, two volumes being issued in 1888 and a supplementary volume four years later. The Legislature authorized the revision of 1881 and the printer of the two volumes of this Revision issued on his own responsibility two volumes in 1888, adding to the Revision the acts passed in 1883, 1885 and 1887. Apparently this printer (E. B. Meyers & Co., of Chicago) had used the same plates in his edition of 1888 which had been used in the 1881 edition. A supplement to the 1888 edition was issued in 1892 and shortly after this the Supreme court handed down a decision in which it stated that these

three volumes of 1888 and 1892 could not be considered as an edition of the statutes of the state. Consequently, they have never been cited in the opinions of the Supreme court or of any other court in the state where questions of moment were at issue. While the law requires the issuance of the decisions of the Supreme and Appellate courts, the Legislature has never authorized any of the many digests of the decisions, all of them having been the work of private parties.

The best summary of the official publications of the Territory and State of Indiana appeared in 1890 as Volume II, No. 5, in the Indiana Historical Society publications. This brochure of ninety-five pages was prepared by Daniel Waite Howe, of Indianapolis, and contains a descriptive list of all of the publications issued by and under the authority of the Legislature from 1800 to 1890. The appended bibliography is concerned primarily with the publications of legal nature authorized by the Legislature, as well as similar publications issued by private parties. The Session laws, Revised statutes, Supreme and Appellate court decisions, Digests of Legislative acts and Supreme and Appellate court decisions, the Journals of Indiana's two Constitutional Conventions and various other works of an official or private nature bearing on the courts of the state, should find a place in every Circuit court library in the state. The bibliography follows:

STATUTORY AND DOCUMENTARY MATERIAL OF INDIANA.

INDIANA TERRITORY (including Illinois, Wisconsin and parts of Ohio, Michigan and Minnesota at different times).

Title of legislative body to July 4, 1805, "The Governor and Judges of the Indiana Territory."

Session laws called "Laws."

Title of legislative body after July 5, 1805, "General Assembly."

Session Laws called "Laws."

STATE.

Title of legislative body "General Assembly."

Session Laws called "Laws."

SESSION LAWS OF INDIANA TERRITORY.

LAWS FOR THE GOVERNMENT OF THE DISTRICT OF LOUISIANA,

passed by the Governor and Judges of the Indiana Territory, at their 1st session Uegun (sic) and held at Vincennes, on the first day of October 1804. Published by authority.

Printed by E. Stout. 136 + (1) p. 12 mo. Vincennes, (I. T.), 1804.
 1st Session, January 1801. (Contained in "Message from the President of the United States, transmitting the laws" of the territory from January, 1801, to February, 1802, to Congress, 32 p., 12 mo. Message dated February 13, 1803. A reprint is contained in "Throop and Clark's reprint of laws of Indiana Territory, 1801-06." 8°.)

2nd Session, January, 1802. (Contained in "Message from the President of the United States, transmitting the laws" of the territory from January, 1801, to February, 1802, to Congress, 7 p. 12 mo. Message dated February 14, 1803. A reprint is contained in "Throop and Clark's reprint of laws of Indiana Territory, 1801-06." 8°.)

3rd Session, (February, 1803). (Contained in "Message from the President of the United States transmitting the laws" of the territory (1803) to Congress. Message dated December 7, 1803. A reprint is contained in "Throop and Clark's reprint of laws of Indiana Territory, 1801-1806." 8°.)

4th Session, (September 1803-September 1804).

(Contained in "Throop and Clark's reprint of laws of Indiana Territory, 1801-1806." 8°.)

1st General Assembly, 1st Session, July 4, 1805.

(Contained in "Throop and Clark's reprint of laws of Indiana Territory, 1801-1806." 8°.)

1st General Assembly, 2nd Session, November 3, 1806, 30 + (1) p. Folio.

(Contained in "Throop and Clark's reprint of laws of Indiana Territory, 1801-1806." 8°.)

1st Session, August, 1807.

2nd Session, September, 1808.

1st Session, November, 1810.

2nd Session, November, 1811.

1st Session, February, 1813.

2nd Session, December, 1813.

1st Session, August, 1814.

2nd Session, December, 1815.

SESSION LAWS OF THE STATE OF INDIANA.

The Legislature of Indiana had annual sessions from 1816 to 1851 and their Acts are printed annually for this period. The Legislature met each year in December and held over into January of the following year. There is one exception to this statement, namely, in 1824 the Capitol was moved from Corydon to Indianapolis, in December of that year, and the ninth session did not begin until January, 1825.

From 1851 down to the present time the Legislature has met in biennial sessions with the exception of special sessions which were called in 1858, 1861, 1869, 1872, 1875, 1877, 1879, 1881, 1885 and 1908.

STATUTES, COMPILATIONS, DIGESTS, CODES, ETC.

- LAWS OF THE TERRITORY NORTHWEST, 1791-1802.* (1833.) (Contains laws of the Governor and Judges, the Maxwell Code and the laws of the three Sessions of the Territorial Legislature.)
1 vol. p. 350 Cincinnati, 1833
- REVISION OF LAWS OF INDIANA TERRITORY* (1807). Including Illinois Territory. By Jones and Johnson.
1 vol. XXVIII p. Vincennes, 1807.
- COMPEND OF ACTS* (1807-1814); G. W. Johnston. Printed by Elihu Stout.
1 vol. p. 195, ill p. 12 mo. Vincennes, 1817.
- REVISED LAWS* (1823). Arranged and published by the General Assembly, eighth session. (Dec. 1823.)
1 vol. p. 438 Corydon, 1824.
- REVISED LAWS* (1831). Arranged and published by the General Assembly, 15th session. (December 1830.)
1 vol. p. 596. 8 mo. Indianapolis, 1831.
- REVISED STATUTES* (1838). Arranged, compiled and published by authority of the General Assembly. 22nd Session.
1 vol. p. 667. 8 mo. Indianapolis, 1838.
- REVISED STATUTES* (1843). By Samuel Bigger and George H. Dunn. Printed and published according to law. 27th session.
1 vol. p. 1114. 8 mo. Indianapolis, 1843.
- REVISED STATUTES* (1852). Printed and published according to law. 36th session.
2 vols. Vol. I.—p. 592. Vol. II.—p. 646. 8 mo. Indianapolis, 1852.
- STATUTES* (1862). Edited by Gavin and Hord.
3 vols. Vol. I.—p. 828 Indianapolis, 1860
Vol. II.—p. 736 Indianapolis, 1862
Vol. III.—p. 221 Indianapolis, 1863
- REVISED STATUTES* (1870). Edited by Gavin and Hord.
2 vols. Vol. I.—p. 128 Indianapolis, 1870.
Vol. II.—p. 736 Indianapolis, 1870.
Volume III, by E. A. Davis (1870) is a supplement to the two volumes by Gavin and Hord.
(The 1870 edition is a reprint of the two volumes by author of edition of 1862.)
- STATUTES* (1876), with notes and references to judicial decisions.
2 volumes Vol. I.—p. 1066
Vol. II.—p. 819 Indianapolis, 1878.
- REVISED STATUTES* (1881) collated and annotated by James S. Frazer, John H. Stotsenburg and David Turpie. Authorized by act of March 28, 1879.
2 vols. Vol. I.—p. 508 Chicago, 1881.
- ACTS AND JOINT RESOLUTIONS* (1883). S. R. Downey, editor, By authority.
xvi 3. "1643-1829" p. 8 mo. Cincinnati, 1883.

- STATUTORY CONSTRUCTION* (1887). W. W. Thornton.
1037 p. 8. Indianapolis, 1887.
- REVISED STATUTES* (1888), not paged, but arranged by sections from
1 to 2605. Also contains an unpagged index. Printed by E. B.
Meyer & Co.
2 Vols. 8 mo. Chicago, 1888.
- SUPPLEMENT* (1892); A Continuation of Previous Editions, being Vol.
III of the Revision of 1888.
Vol. III, 8 mo. Chicago, 1892.
- REVISED STATUTES* (1889), Elliott's Supplement to the Revised Stat-
utes of 1881. Embraces acts from 1883-89, inclusive.
1 vol. p. 846. 8 mo. Indianapolis, 1889.
- REVISED STATUTES* (1888-92)
3 vols. 8 mo.
- ANNOTATED STATUTES* (1894); Harrison Burns.
3 Vols. n. p. Indianapolis, 1894.
Supplement (1897) being Vol. IV of the set.
n. p. Indianapolis, 1897.
- REVISED STATUTES* (1896). By Frank A. Horner.
2 vols. n. p. 8 mo. Chicago, 1896.
- REVISED STATUTES* (1897). W. W. Thornton.
1 vol. p. 2274 Indianapolis, 1897.
- ANNOTATED STATUTES* (1901); Frank A. Horner.
2 vols. 8. Indianapolis, 1901.
- ANNOTATED STATUTES* (1901); Harrison Burns.
3 vols. Indianapolis, 1901.
Also general index to Burns' Annotated Statutes.
Vol. 4 of the set was issued in 1905 as a supplement to the 1901
edition.
- ANNOTATED STATUTES* (1908); Harrison Burns.
3 vols. Indianapolis, 1908.
Also general index to Burns' Annotated Statutes.
- ANNOTATED STATUTES* (1914); Harrison Burns.
3 vols. Indianapolis, 1914.

CODES OF INDIANA.

- CODE OF LAWS* (1818); William Hendricks.
- ANNOTATED PRACTICE CODE* (1889); W. W. Thornton and T. E.
Ballard.
- PRACTICE CODE* (1893); W. W. Thornton.
- ANNOTATED CIVIL CODE* (1907); annotated by W. W. Thornton. 2 vols.
- CRIMINAL CODE* (1905). (Authorized by statute and printed in Acts
of 1905).

DIGESTS OF INDIANA COURT DECISIONS.

- DIGEST OF DECISIONS OF SUPREME COURT* (1858); S. E. Perkins.
1 vol. p. 869. Indianapolis, 1858.

DIGEST OF DECISIONS OF SUPREME COURT (1866 and 1870); E. A. Davis.

This follows the volume of Perkins.

2 vols. I vol. p. 853

Cincinnati, 1866.

II vol. p. 556.

Cincinnati, 1870.

DIGEST OF DECISIONS OF SUPREME COURT (1883); W. H. Ripley.

This contains all decisions from 1817 to 1881.

2 vols. paged consecutively from 1 to 1878.

DIGEST OF DECISIONS OF SUPREME COURT (1889); J. B. Black.

This follows Ripley's volumes and covers the period from 1881 to 1889.

1 vol.

NEW INDIANA CITATIONS OF SUPREME COURT (1885); J. W. Thompson.

1 vol.

Indianapolis, 1885.

A revised edition in 1895 covered all cases from 1817 to 1895.

A supplement to the 1895 edition was issued in 1901, covering Supreme court (136-155) and Appellate court (25-38).

CITATIONS OF SUPREME AND APPELLATE COURTS (1896); by W. W. Woollen. This covers the period from 1881 to 1895.

2 vols.

Indianapolis, 1896.

DIGEST OF DECISIONS OF SUPREME AND APPELLATE COURTS (1910).

This covers the whole period from 1817 to 1910.

12 vols. Compiled and published by West Publishing Company.

A supplement was issued in 1914.

DIGEST OF SUPREME AND APPELLATE COURT REPORTS (1905);

Harrison Burns.

2 vols.

Indianapolis, 1905.

CHARLES F. REMY (1902).

1 vol.

Indianapolis, 1902.

CONSTITUTIONAL CONVENTIONS, CONSTITUTIONS, ETC.

1816.

JOURNAL, Corydon, June 2, 1816.

69 p. 8 mo.

Louisville, 1816.

This Journal is printed entire in the 1912 Proceedings of the Indiana State Bar Association, pp. 139-231.

CONSTITUTION; a copy of this Constitution is contained in United States Charters and Constitutions, Part I, p. 499, where it is said that this Constitution was "adopted at Corydon, June 29, 1816, by the convention which framed the first Constitution of Indiana."

1850-1851.

JOURNAL OF CONVENTION to amend Constitution. Assembled at Indianapolis, October, 1850.

1885 p. 8 mo.

Indianapolis, 1851.

DEBATES AND PROCEEDINGS of the convention for the revision of the Constitution. H. Fowler, official reporter.

2 vols. (2107 p. continuously). 8 mo.

CONSTITUTION AND ADDRESS of the Constitutional Convention (in German).

32 p. 8.

New Albany, 1851.

(In English)

32 p. 8.

New Albany, 1851.

CONSTITUTION. A copy of this Constitution is contained in United States Charters and Constitutions, Part I, p. 512. Amended February 18, 1873. A copy of this Constitution is contained in United States Charters and Constitutions, Part I, p. 527.

CONSTITUTION AMENDMENTS. This Constitution has been amended as follows: Amendment adopted February 18, 1873, relating to Wabash and Erie Canal certificates; March 14, 1881, four amendments extending suffrage to negroes, etc., amendment regarding township, etc., election; amendment relating to public officers; amendment relating to Superior courts.

PROPOSED CONSTITUTION; Jacob Piatt Dunn.

47 pp.—8 mo.

Indianapolis, 1914.

A NEW CONSTITUTION FOR INDIANA; Ernest V. Shockley.

A brief resume of the Constitutional Conventions of 1816 and 1850 and of the amendments to the present constitution.

63 pp.—12 mo.

Bloomington, 1914.

CHAPTER XX.

LEGAL WRITERS OF INDIANA.

Indiana is known throughout the length and breadth of the Union as a literary state, and its men and women of letters have not confined themselves to the field of romance alone. While it is true that books of fiction predominate, the state is not lacking in writers in other fields. Indiana has produced several writers who have confined their efforts to legal literature, although occasionally, members of the bar have condescended to enter the field of romance.

The legal writers may be divided into several different groups, based upon the character of their writings. There are some who make a specialty of compiling digests, codes, etc.; others take some particular subject, as real estate or insurance, and confine their attention to this one field; still others have written general text books on various legal subjects, such as bankruptcy, civil and criminal practice, trial evidence, agency, etc. Several works have been issued covering the duties of the justice of the peace, the county commissioners, the sheriffs and other officials. A study of the bibliography which concludes this chapter bears ample witness to the fact that Indiana has produced an unusually large number of legal writers.

The greater portion of the legal literature of the state is the product of the last half century, very few volumes appearing before the Civil War. It is not known definitely when the first volume pertaining to the legal profession appeared in Indiana. Of course, the laws of the Territorial Legislature (1800-1816) were printed and during this same period, in 1807, Jones & Johnson issued the Revised Laws of Indiana Territory. It is probable that the first effort to issue a law book of any kind in the state with the pecuniary idea in view was made by General W. Johnston in 1817. The issues of the *Vincennes Western Sun* carried his advertisement during

1815-16, for what he chose to call a "Compend of Acts, 1807-1814". This was purely a private venture, the Revision of 1807 being authorized by the Territorial Legislature. This volume is very rare at the present time, and one book would bring more now than Johnston received for his whole edition in 1817. No other attempts were made by private parties to issue revisions of the statutes prior to 1852.

During the period of the old Constitution (1816-52) there were at least (so far as is now known) but two works of a legal nature issued, in addition to the Supreme court decisions. The first was a so-called officers' guide of 424 pages, which bore the lengthy title of "The Officers' Guide, and Farmers' Manual; containing a Comprehensive Collection of Judicial and Business forms, Adapted to the Jurisprudence of Indiana, with an Explanation of Law Phrases and Technical Terms, Both Latin and French; to which are appended A Concise Treatise On the Law of Evidence and Partnership, and Tables of Interest, Calculated at six per cent. per annum". The only clue as to its authorship is a statement made by the publishers, William Stacy & Company, Indianapolis, to the effect that it was "Revised by a Member of the Bar". The edition from which the above title is taken states that it was the third edition published, and it bears the date of 1841. This third edition also contains a preface to the first edition, but no mention is made in this as to whom the author might be. The other work spoken of above was a small manual for justices of the peace and constables, which was compiled by William W. Wick and Lucian Barbour in 1846. J. F. Conover compiled the first digest of Supreme court decisions in Indiana, his one volume being cited as "1 Blackf.", which covers the period from 1817 to 1826. This same volume also contains the decisions of the Supreme court of Ohio (1821-32) and those of Illinois (1819-31).

In this connection reference should be made to the Revisions of 1818, 1824, 1831, 1838 and 1843. The acts of the first Legislature, which sat from November 4, 1816, to January 3, 1817, were published in the latter year as the "Acts of 1817". The second Legislature (December 1, 1817-January 29, 1818) passed a large number of acts and they are sometimes cited as "Revised Statutes of 1818". The citation is really a misnomer,

since the volume contains only the acts passed by the legislature in 1817-18. Under the old Constitution there was a large amount of what was known as special legislation and it became the custom to issue two separate volumes, one of general and the other of special laws. In 1818 it was provided "That nothing herein contained shall be so construed as to authorize the public printer to print an act passed at the present session, entitled 'An Act to Regulate the Militia'". However, in the Laws of 1819 (p. 151) a statement under the heading "Errata of the Act Regulating the Militia" indicates that the militia act of 1818 was really printed despite the prohibition of the Legislature which passed the act.

The Revision of 1824 was authorized by the act of December 31, 1822, and the act providing for the revision specified that Benjamin Parke should do the work, conferring on him "Full power to revise, alter, amend, abridge, enlarge and model the statute laws" of the state, "so as to produce a comprehensive and systematic code, best fitted in his opinion to subserve the public interest and happiness." The Legislature was to allow him one thousand dollars for his work. However, when Parke, who was then United States District Judge of Indiana, was interviewed by the Legislature in regard to the work, he declined to assume the responsibility, on the ground that his health would not permit him to undertake the work. Consequently, it was necessary to look elsewhere to find some one qualified for the undertaking. Strange as it may seem, it was no other person than Governor William Hendricks himself who was chosen by the legislative committee. Still stranger was the fact that the Governor refused to accept the thousand dollars set aside by the Legislature as compensation for the work. The volume of 438 pages shows that Governor Hendricks did his work carefully and conscientiously and with the idea of conforming to the recommendation set forth in the act providing for the revision.

The Revision of 1831, a volume of 596 pages, was the work of the General Assembly, the title page saying that it was "Arranged, and Published by Authority of the General Assembly." This volume contained all the laws in force at the time of its publication, and all statutes previously passed, not contained within the volume, were repealed, except a few certain

acts which were designated by title. The Revision of 1838, known as the Revised Statutes of Indiana, was "Arranged, Compiled and Published by the Authority of the General Assembly," and not intrusted to any one person. The last revision of the laws of the state under the old Constitution was authorized by the act of February 4, 1841. This act selected Samuel Bigger, who was "authorized to prepare a compilation and revision of the general statute laws of the state and to suggest such amendments and alterations in any of said statutes and to prepare such additions as he might deem proper with a view to the adoption and enactment by the Legislature of the full and complete general laws." Evidently Bigger found the problem of revising the laws a larger one than he contemplated and he asked the Legislature to authorize George H. Dunn to assist him in his labors. The Legislature complied with the request of Bigger by passing the act of January 18, 1842. It provided that Dunn should be associated with Bigger in the work of revision. These two lawyers proceeded with their work and by the time the Legislature opened in the fall of 1842 they had it ready to submit to that body. For some reason, the Revision of 1843 did not meet with popular favor throughout the state and the reason is to be found in the fact that the revisers made such radical changes from the three former revisions—that is, those issued in 1824, 1831 and 1838. The Legislature printed ten thousand copies of this revision and put them on sale at four dollars a volume. The sale was so slow that the price was soon reduced to two dollars, then to one dollar, and, finally, so tradition says, they were offered to anyone who would carry them away. This completes the legal writings prior to 1852, when the new Constitution went into operation.

With the adoption of the Constitution of 1852 it was necessary to revise all the laws of the state and this was done by three men, known as commissioners by the act providing for the revision. These men were Walter March, George W. Carr and Lucien Barbour. Jonathan A. Lester had been originally appointed by the Legislature as one of the commissioners and when he declined to serve, Barbour was appointed in his stead. These three commissioners wrote both the Civil and the Criminal codes and submitted them to the Legislature for their ap-

proval. The secretary of state had general charge of the printing, while James S. Hester prepared the annotations which accompanied the two volumes. Fifteen thousand were printed in English and one thousand in German. Although there have been several revisions since 1852, the state has authorized only one general revision of the statutes. The General Assembly of 1879 passed an act providing for a board of revision, "to prepare a compilation and revision of the general statute laws of this state and to suggest such amendments and alterations in any of the said statutes and to prepare such additional ones as they may deem proper with a view to the adoption and enactment by the General Assembly of a full and complete code of laws; such, however, to be completed, if possible, by September 1, 1880, and be reported to the General Assembly at its next session." This one act provided that the Supreme court should appoint the board of commissioners who were to have charge of the revisions and that body selected John H. Stotsenburg, of New Albany, David Turpie, of Indianapolis, and James S. Frazer, of Warsaw. When the work of revision was completed twelve thousand volumes were printed and the Legislature fixed a price of three dollars and twenty cents a volume. Each member of the board of revision was paid \$3,500 for his services. This is the last general revision which has been published by the authority of the General Assembly. By reference to the Bibliography on Documentary and Statutory Material at the end of this chapter, all other revisions of the laws may be found listed.

The most prolific legal writer in Indiana is William W. Thornton, now Judge of Superior court, Room 1, Marion county. For thirty years he had been engaged in legal literary work and during that time has issued more than thirty volumes. These cover a wide range of topics and may be found in every Circuit court library in the state and in every state law library in the Union. It is not the province of this chapter to discuss the respective merits of the various legal publications of Indiana jurists, but rather to indicate, in a general way, in bibliographic fashion, their contributions to the legal literature of the state and nation.

A study of the bibliography which concludes this chapter discloses the fact that at least twenty lawyers have produced

legal text books and many of them have issued more than one volume. Of official guides, there have appeared more than a score and many of these have run through several editions. A few writers have specialized in fields outside of Indiana. For instance, E. E. Ballard has given his entire attention to the preparation of volumes on the real estate statutes of various states; G. A. Deitch has devoted himself to all phases of insurance, as has John A. Finch; Harrison Burns specializes in the compilation of statutes, not only of Indiana but of other states as well.

A discussion of Indiana's literary lawyers would not be complete without mentioning those who have wandered into other fields. Probably the second greatest novelist the United States has ever produced was an Indiana lawyer and at one time a prosecuting attorney. The author of "Ben-Hur," "The Fair God" and "The Prince of India," Lew Wallace, stands forth as one of the commanding figures in the literary firmament of the country. Milliard F. Cox, a prominent lawyer of Indianapolis for many years, gave to the state "The Legionaries," a story of Morgan's raid in Indiana. Charles Major, a native of Indianapolis and later a resident of Shelbyville, delighted the whole country with his "When Knighthood Was In Flower," and followed this novel with several others which had a wide circulation. Horace P. Biddle, of Logansport, a member of the Supreme court for one term, gained an enviable reputation as a poet, and prose writer in the field of general literature. An extended discussion of his literary work is given in his sketch in connection with the Supreme court. President Harrison was a fluent writer and his "This Country of Ours" has been used as a text book in many states. Among the lawyers now living who have added to their legal fame that of literary achievement, may be mentioned William W. Foulke and Albert J. Beveridge. From the facile pen of Foulke has come poetry and prose of a high standard. As a sonneteer he ranks among the best in the country today, while as a writer of graceful verse of all kinds he has gained high recognition. As an essayist and as a story teller he has been successful. Beveridge is the author of several volumes, chief among which may be mentioned "The Young Man of the World," "The Russian Advance," "The Meaning of the Times,"

"What's Back of the War," and he is now completing a "Life of Chief Justice John Marshall," on which he has been working for several years.

A number of lawyers have issued volumes of their speeches, reminiscent sketches and other works of a semi-political character. Among these may be mentioned O. H. Smith, who, in his "Early Indiana Trials and Sketches," has left a volume of more than six hundred pages covering in a general way the political history of the state under the old Constitution. This volume is a veritable thesaurus of information concerning scores of the lawyers of the period from 1816 to 1852, all of whom were personally known to Smith. Another lawyer, George W. Julian, has left a volume of his "Personal Recollections," which throws the best light upon Indiana's part in the anti-slavery movement. Another volume which is the product of an Indiana lawyer, Richard W. Thompson, is entitled "Recollections of Sixteen Presidents." The biographies of Governor Morton and President Harrison, by William Dudley Foulke and John L. Griffiths, respectively, are the authoritative works on these two eminent men. William Watson Woollen, in his "Biographical Sketches," has preserved a record of a large number of prominent men of the state with whom he was intimately acquainted. Two lawyers have gained a national reputation as historians, William H. English and Daniel Waite Howe. English wrote a two-volume work entitled "The Conquest of the Country Northwest of the River Ohio" and Howe is the author of several volumes, chief among which may be mentioned "The Laws and Courts of the Northwest and Indiana Territories," "The Puritan Republic," "Civil War Times," etc. Charles Moores, of Indianapolis, has written a life of Lincoln for young people, as well as several other volumes of merit.

This summary of lawyers who have engaged in literary work other than that concerned with their profession, is not meant to be complete, but rather, illustrative. Many other lawyers have published works on various subjects, but enough has been given to indicate that the study of the law has not absorbed all of the attention of the disciples of Blackstone. The following bibliography lists only legal publications and makes no mention of the miscellaneous writings of the lawyers of the state.

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- Ballard, T. E.
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- Black, James B.
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Reports of the Indiana Supreme Court. 24 Vols. (Vols. 30 to 53, inclusive.)
- Blackford, Isaac.
Reports of the Indiana Supreme Court. 8 Vols. (Covers the years 1817-47.)
- Blackledge, Frank H.
See W. W. Thornton.

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An Introduction to the Study of the Constitution. 1892.

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THE REPOSITORIES OF THE LAW.

All law falls into two classes, written and unwritten. Written law may be either constitutional or statutory, while unwritten law is commonly denominated Common Law. Laws which have been given expression in the United States may be found in the Federal and State Constitutions and in the acts of the various State Legislatures, supplemented by the decisions of the United States Supreme court and the Supreme courts of the different states of the Union. In the following outline an effort has been made to give all of the primary sources of the laws affecting Indiana, and also such secondary sources as have been shown by experience to be of value to lawyers.

Primary Sources.

I. Constitutions.

1. Federal. 1789.

2. State. 1816 and 1851.

II. Federal Statutes.

1. Statutes-at-Large.

2. Revised Statutes.

3. Compiled Statutes.

4. Annotated Statutes.

III. Statutes of Northwest Territory.

1. Governor and Judges. 1787-1800.

IV. Territorial Statutes of Indiana.

1. Governor and Judges. 1800-1805.

2. Territorial Legislature. 1805-1816.

3. Codes—Maxwell. 1805.

4. Revised Laws—Jones & Johnson, 1807.

5. Compend of Acts—G. W. Johnston, 1817.

V. State Statutes.

1. Session Laws.

1. Local and Special Laws. 1818-1851. (Annual Sessions.)

2. Acts. 1851-1915. (Biennial and Special Sessions.)

2. Revised Statutes. 1818, 1824, 1831, 1838, 1843, 1852, 1881.
3. Annotated Statutes.

VI. Municipal Law.

1. City Charters.
2. City Ordinances.
3. Town Ordinances.

VII. Rules of Court.

1. Federal Courts.
2. State Constitutional Courts.
3. State Statutory Courts.

VIII. Federal Court Decisions.

1. U. S. Supreme Court Reports.
 1. Official Series.
 2. Lawyers' Edition.
 3. Supreme Court Reports.
2. Federal Cases.
3. Court of Claims.
4. Federal Reporter.
 1. National Reporter System.

IX. State Court Decisions.

1. Issued by authority of Legislature.
 1. Supreme Court. 1816-1915.
 2. Appellate Court. 1891-1915.
2. Local Decisions, but not issued.
 1. Superior Court (1 Vol., issued in Marion County by Wilson, 1871-1874.)
 2. Circuit Court.
 3. Criminal Court.
 4. Juvenile Court.
 5. Probate Court.
 6. Court of Claims.

X. Non-official State Decisions.

1. National Reporter System.
 1. Atlantic.
 2. Northeastern.
 3. Northwestern.
 4. Southern.
 5. Southeastern.
 6. Southwestern.
 7. Pacific.
 8. New York Supplement.

XI. Special Reports,

1. Railway.
2. Public Utilities Commission.
3. Industrial Commission.
4. Bankruptcy.
5. Workmen's Compensation Board.

XII. Selected Cases.

1. Lawyers' Reports Annotated.
 1. First Series.
 2. New Series.
2. American and English Annotated Cases.
3. Trinity.
 1. American Decisions.
 2. American Reports.
 3. American State Reports.

Secondary Sources.

I. Text Books.

II. Search Books.

1. Tables of Statutes Construed.
2. Tables of Cases Digested.
3. Tables of Cases Reported.
4. Tables of Cases Affirmed, Reversed or Modified.
5. Annotators.
6. Citators.
7. Tables of Cases Cited.
8. Tables of Parallel Citations.
9. Subject Indexes.

III. Encyclopedias.

1. American and English (Articles on Legal Subjects).
2. Encyclopedia of Pleading and Practice.
3. American and English Encyclopedia of Law and Practice.
4. Encyclopedia of Law and Procedure.
5. Encyclopedia of Evidence, etc.

VI. Digests.

1. American Digest System.
 1. Century Digest.
 2. Decennial Digest.
 3. American Digest. Key-Number Series.
 4. Monthly Digest.
2. State Digests.
3. Reporter Digests.
4. Selected Case Digests.

V. Words and Phrases.

VI. Legal Magazines.

CHAPTER XXI.

THE PRESENT JUDICIAL SYSTEM.

Sixty-three years of actual operation have disclosed most of the weak and strong points of our judicial system. The best criticisms of the system, both favorable and unfavorable, are to be found in the nineteen volumes of "Proceedings of the Indiana State Bar Association." Before entering on a review of this literature it will be best to give a general view of the system.

At the base of the system, or, to use the trite figure, the foundation of the temple of justice, are the justices' courts. The general grant of power by the Constitution reads as follows: "The judicial power of the state shall be vested in a Supreme court, in Circuit courts and in such other courts as the General Assembly may establish." Section 14 of the article on the Judiciary says: "A competent number of justices of the peace shall be elected by the voters in each township in the several counties. They shall continue in office four years, and their powers and duties shall be prescribed by law." The number of justices is left by statute to the county commissioners, the maximum being fixed. The justice, or "squire," is thus a constitutional officer whom the General Assembly is powerless to abolish, if it would. There are from ten to fifty of these popular courts in each county, each in a considerable degree independent of all.

The justice has criminal jurisdiction coextensive with his county. He has exclusive jurisdiction where the fine cannot exceed three dollars, and concurrent jurisdiction over all misdemeanors punishable by fine only. The civil jurisdiction of the justice is coextensive with his township in suits involving less than one hundred dollars and concurrent up to two hundred dollars.

The aggregate number of suits tried in the justices' courts

no doubt exceeds the number tried in all other courts in the state combined. The chief criticism offered against the work of these courts arises from the fact that all the fees of the court, constable and jurors, is directly dependent on the verdict. If the accused is acquitted, no costs attach. The professional lawyers do not covet the practice in these courts and therefore the general conduct of causes is not always in accord with the rules that apply in higher courts. In spite of all the objections, the justices' courts maintain themselves in the public estimation. They have the two great merits of cheapness and speed.

Almost coordinate with the justices' courts are the police courts of the cities. In each of the cities of the first, second third and fourth classes, there is elected a police judge, who serves during a two-year term. He holds daily sessions of court and has the criminal jurisdiction of justices of the peace, the jurisdiction of the mayor, exclusive jurisdiction of all violations of the ordinances of the city, and, in addition, original concurrent jurisdiction in all cases of petit larceny and other violations where the penalty does not exceed \$500 and imprisonment of six months, or both. In cities of the fifth or lowest class, the mayor acts as police judge. The judges are on a salary and there is no court cost except a docket fee of five dollars. One of the chief objections to the justices' courts is thus obviated. The police court rarely uses a jury, and when it does, the panel consists of six men. The prosecuting attorney for the circuit prosecutes all cases. He usually appoints a deputy, who makes it his sole business to attend the police courts. No complicated cases are ever tried before the police courts. Judgment is rendered speedily in the great number of cases, in most of which the evidence is ample or the guilt admitted. The province of the court is being encroached on rapidly by probation officers, juvenile courts and various other agencies. This latter field is attracting some very earnest attention from the police judges, who have the very best opportunities of studying this question.

Next above the justices and the police courts are the Circuit courts. By Act of May 14, 1852, a system of Common Pleas courts was established in the state. The state was di-

vided into forty-four Common Pleas circuits, at first, but these were frequently changed. This was intended to be a county court. It had exclusive jurisdiction in all probate matters and concurrent jurisdiction in a large number of causes related to or growing out of probate business. Guardians, executors and administrators were generally the interested parties in its litigation. The jurisdiction of this and the Circuit courts became so greatly confused that it was thought best to abolish the whole system and transfer its jurisdiction to the Circuit courts. This was done by the act of March 6, 1873, which abolished the offices of Common Pleas Judge and district attorney.

The Circuit court has always been the chief forum of litigation in Indiana. The Act of June 17, 1852, divided the state into ten circuits. Its jurisdiction is too well known to need statement here. Its jurisdiction, however, is defined by the General Assembly and not by the Constitution. Its officers are a judge, elected for six years, a prosecutor, elected for two years, and a clerk, elected for four years.

The sixty-three years of existence of these courts have suggested many criticisms. One of these is the manner of selecting judges. This criticism has suggested a number of remedies. There are many lawyers who believe that judges should be appointed by the governor for life, subject only to impeachment. This idea, of course, comes directly from the English customs, adopted by the United States and many of the states. The appointive, life-tenure plan, they point out, has worked well there and in the seven or eight states which have followed that example. The basic reason, it is argued, is the necessity of separating the judges from the fear of hasty resentment by the voters. A much smaller number who favor life tenure favor the judicial recall. This, they claim, would answer the main objection to life tenure; that is, that life tenure will create an arbitrary power in the hands of the judiciary incompatible with free institutions and a free democracy. In Massachusetts, where judges hold during good behavior, a vote of want of confidence by the State Bar Association is tantamount to a decision against good behavior. Practically this never happens, as judges anticipate such

action by the Bar Association and resign. Another reform favored by a large number of lawyers, and once at least endorsed by formal resolution of the Indiana State Bar Association, is the selection of judges at an election at which no other officers are chosen.

While discussing the trial or Circuit Judge, it is in order to point out a criticism which finds its source in the lack of power of the Circuit Judge. This alleged defect likewise comes from a comparison of the Circuit Judge with the United States District Judge. The United States judge has far more power than has the state judge. The latter is largely at the mercy of the jury as far as the verdict is concerned. The United States judge conducts criminal trials as they were conducted at the English Common Law, under which the jury was bound to follow the instruction of the judge in all matters of law, and which also permitted the judge to comment on and give his view on the evidence and what it proved. Under Lord Jeffreys and some other English judges this power was grossly abused. To avoid such results, many of our states, including Indiana, adopted provisions giving the jury the right to determine the law and the facts. Under this provision our Circuit Judges, after instructing the jury, must affirmatively direct the jury that it is the sole and exclusive judge of the law and the evidence.

“The fifth instruction requested by the state and given by the court was: ‘The court instructs the jury that they are the judges of the law as well as the facts in this case, and, if they can each say upon their oath that they know the law better than the court itself, then they have the right to do so. But, before assuming so solemn a responsibility, they should be assured that they are not acting from caprice or prejudice, that they are not controlled by their will, or their wisdom, but from a deep and confident conviction that the court is wrong, and that they are right. Before saying this, upon their oath, it is their duty to reflect whether from their study and experience they are better qualified to judge the law than the court. If, under all these circumstances, they are prepared to say that that the court is wrong in its exposition of the law, the Constitution and the statute has given them the right.’ The Con-

stitution of our state (section 64, Burns' Statutes 1908) provides: 'In all criminal cases whatever, the jury shall have the right to determine the law and facts.' This section of the Constitution declares in the broadest and most imperative terms that in all criminal cases the jury shall have the right to determine the law as well as the facts. It is the duty of the court to instruct the jury as to the law of the case, and at the same time inform them that they are the judges of both the law and facts. Instructions in criminal cases are not to bind the conscience of the jurors, but to enlighten their judgment. The above instruction imposes a restriction upon the jurors not imposed by the Constitution, consequently said instruction is in conflict therewith, and erroneous, in that it takes from the jury their entire freedom as the judges of the law and the facts, and imposes upon them a restriction not contemplated by the Constitution, but attempts to nullify it." (99 N. E. 422.) Thus is the jury entirely freed from the control of the court both as to the law and the fact. This power extends so far as to give the jury the right to interpret the Constitution so far as it may apply to the case at bar. Whether it would be better or not for the Circuit Judge to have more power is an open question. It is mentioned here merely as a criticism frequently heard.

Another criticism made on the Circuit court, which is really a criticism on the judge, is that its jurisdiction covers too wide a range. Other states have divided jurisdiction conferred upon our Circuit court among a number of courts. This condition has resulted of late years in a number of Superior and Criminal courts of limited jurisdiction located in the more populous counties. This criticism, however, runs contrary to all our traditions of a century. The unmistakable tendency is to consolidate rather than separate our jurisdictions. It was this tendency which, in 1816, killed the numerous local courts of the territory; later, it killed the Probate courts; still later, it killed the Common Pleas courts, and at present there are many lawyers who favor abolishing all the Superior and Criminal courts and returning their jurisdictions to the Circuit courts, whence they sprang. They would meet the difficulty by placing more men on the Circuit bench.

Among those who would divide the business of the Circuit court there is little agreement. Some would divide along the lines between civil and criminal; others along the line between probate and the old Quarter Sessions, while still others would follow the lead made by the police courts by cutting out of the jurisdiction of the Circuit court cognizance of all petty crimes and misdemeanors.

Another criticism made against our judges is that under the present system the judge, whose circuit is often only a county, is not only personally well known by many persons, but that he is somewhat conversant with many of the difficulties which result in crime or law suits. It is recommended that the justices go on circuit and not hold court in the county where they live.

As noted above, the tendency to break up or separate the jurisdiction of the Circuit court leads occasionally to the establishment of coordinate tribunals with special powers. One class of these courts is called the Superior court. A number of these have been created in the more populous counties. Each rests on a particular statute which defines its power and confers its jurisdiction. The following quotation from the law constituting the Grant and Delaware Superior court, approved March 1, 1909, will serve as an illustration: "Said court shall have jurisdiction in all civil actions, original and appellate, concurrent with the Circuit court of said county, in all matters of every character whatever of which said Circuit courts now have or may hereafter have jurisdiction, except probate matters and the settlement of decedents' estates." The purpose clearly is to relieve a congested court, but the new jurisdiction is entirely concurrent. The judge of the Superior court cannot, any more than the Circuit Judge, hope to become a specialist, such as a police or probate judge might become. The Circuit Judge must be equally a master in all fields of the law. Only two fields are eliminated for the Superior judge, the criminal and probate law. For this reason, many thoughtful lawyers are contending that it would be better to abolish the present Superior courts and increase the number of Circuit judges. Where there are two or more judges on the same circuit each could specialize in a certain

line of cases. Such an arrangement would have the added advantage of doing away with the necessity of special judges.

By an Act of March 10, 1903, another inroad was made on the jurisdiction of the Circuit court. This act established a Juvenile court in Indianapolis. It is typical of this new kind of court. A regular judge is elected by the voters at the general election. The procedure is not radically different from that of the Circuit court. A probation officer, appointed by the judge of the Juvenile court, is required to appear at the trial as the friend of the delinquent. Children, convicted, are usually turned over to this probation officer for care and control under the direction of the judge.

This court has "jurisdiction over all cases relating to children, including juvenile delinquents, truants, children petitioned for by boards of childrens' guardians and all other cases where the custody or legal punishment of children is in question, but such court shall not have probate jurisdiction." This jurisdiction is conferred in smaller counties on the Circuit court.

It is to be noted that this jurisdiction is carved out more scientifically than that of the Superior court. The jurisdiction is not concurrent, either, and hence not so liable to lead to confusion. It is a departure in American courts and so far has commended itself to popular opinion, though, like all innovations, it has incurred the hostile criticism of a large number of laymen and lawyers.

Another court whose jurisdiction is taken from the original field of the Circuit court is the Criminal court. The act of April 12, 1881, provided that this court should consist of a judge, elected by the voters for a term of four years. The other officers were the same as those of the Circuit court. In all its proceedings it was governed by the same laws as those governing the Circuit court. This Criminal court had "original exclusive jurisdiction with the county, of all crimes and misdemeanors, except where jurisdiction is by law conferred on justices of the peace, and such appellate jurisdiction in criminal cases as may by law belong to the Circuit court in the counties having no Criminal court."

This, of course, was an attempt to relieve the congested

Circuit court. It is in effect the election of a second Circuit Judge to look after criminal cases. The Criminal court judge was, moreover, authorized to sit in cases where the regular Circuit Judge was for any reason ineligible, thus rendering him all the more an extra Circuit Judge. This act established Criminal courts in Marion, Allen and Vigo counties only. There seems at present no serious objection to this court, except the general criticism, stated above, that it would be simpler to elect more Circuit Judges and not divide the general jurisdiction of the Circuit court.

Yet another class of petty crimes and misdemeanors have been withdrawn from this general field and placed under the general jurisdiction of the county truancy boards. These officers have been in direct relation with the schools and most of the offenses of which they take cognizance are absences from school and related delinquencies.

The Act of March 8, 1915, commonly known as the Indiana Workmen's Compensation Act, created a tribunal which was invested with some of the duties formerly performed by the Circuit court. This act is administered by an Industrial Board, of three members, appointed by the Governor, and on a salary of \$4,000 per year. In general, this board has exclusive jurisdiction over all damage cases arising from industrial accidents. The reason for this tribunal is to be found in the excessive costs often accruing both to employer and employee in the prosecution of damage suits, and also from the growing sentiment that every industry should sustain its own losses, among which should be counted not only depreciation of equipment, but also losses consequent upon injury or death of employees. In the new tribunal a procedure is laid down radically different from that followed in the Circuit court in similar cases, and consists essentially in a plan by which the two parties may adjust their case without the assistance of any court or lawyer. The departure is too new to judge of its efficacy in our own state.

An act of February 28, 1905, had already created a Railroad Commission, which, as amended by act of March 9, 1907, provided for the appointment by the governor of three men whose duty was "to supervise all railroad freight and passen-

ger tariffs, and to adopt all necessary rules and regulations to govern car distribution and delivery, train service and accommodations and demurrage rules and charges and for car service or the transfer or switching of cars from one railroad to another at junction points, or where entering the same city or town" and have jurisdiction over practically all other questions of a civil nature to which the railroads were a party.

Four years later this commission was abolished and its powers transferred to the newly-created Public Utilities Commission. The jurisdiction of the new commission was widened immensely so as to include all civil questions arising from the organization or conduct of public utilities companies. The reasons for the creation of this new tribunal and the consequent curtailment of the powers of the Circuit court are to be found in the necessity of greater dispatch in the settlement of these questions and in the growing distrust of the ability of the courts to handle this class of cases adequately. On the one hand, the public complained that courts were unduly influenced by the corporations and, on the other hand, it was asserted that corporations could not get justice at the hands of juries. The commission is on trial and public opinion is divided as to its merit.

The net result of all these extra tribunals is not unlike that which prevailed during the decade preceding the constitutional convention of 1850. The unity and simplicity of the system are being sacrificed, largely to relieve the crowded dockets. There is no disposition on the part of the writer to compare the merits of the two general plans for relieving the congested courts. One plan is to multiply the jurisdictions; the other is to multiply the judges. The main argument for the former plan is that it permits specialization and leads to expertness. The main argument for the latter is that it is simpler, far more economical and more systematic, and in the end preserves intact the general body of the law. It will divide the profession of the law into groups of lawyers, each equipped to practice in a special court only.

Above the trial courts stands an Appellate court, whose essential duty is to review the work of the trial court and see that substantial justice has been done. In order that the Ap-

pellate court may do its work intelligently, certain forms of procedure are laid down for the guidance of the trial court. The chief source of complaint against the Appellate court arises from the administration of these rules of procedure. The tendency of the court seems to be to stick too closely to the formal rules and thus become technical. An example of this criticism may be found in the act of September 19, 1881, and the amendment of 1911. These acts abolished all forms at common law and equity.

As pointed out above, another source of popular complaint against the appellate branch is its slowness of action. When the present Supreme court was provided for in the Constitution of 1851 it was arranged so that the number of judges might be increased up to five. This, it was thought, together with the new officers, the reporter and clerk, would enable the court to keep its docket clear.

Long ago the court reached the point where its five judges were unable to take care of its work. At first a remedy was sought by appointing a Supreme Court Commission, composed of five members, one from each district. It seems that what happened was that each supreme judge had a deputy to help with the work of preparing decisions. The plan failed. It was an attempt to solve the difficulty of a crowded docket by multiplying the judges and preserving the jurisdiction.

In 1891, after the Constitution had been amended, the Appellate court was created and given a special jurisdiction carved out of the original field allotted by the Constitution to the Supreme court. This, just as plainly, is an attempt to remedy a congested court by dividing the jurisdiction. The inevitable result has followed. The boundary line between the jurisdictions is a zone of trouble and uncertainty. The decisions of the Appellate court are accepted with hesitation and lawyers seek by one method or another to have their causes brought for review to the Supreme court. In many cases it results in two appeals, the first to the Appellate court, and the second to the Supreme court. As an illustration of this we cite the famous case of *Pittsburg, etc., R. Co. v. Peck* (45 Ind. App. 712.) From a judgment of \$4,000 rendered by the Cass Circuit court, the railroad company appealed to the

Appellate court, which court, on February 19, 1909, transferred it to the Supreme court on the ground that a constitutional question was involved, namely, whether section I of the Employers' Liability Act did not violate the company's right under the Fourteenth Amendment (43 Ind. App. 316.) On March 9, 1909, the Supreme court transferred it back to the Appellate court on the ground that the Supreme court had already held said section valid and that, therefore, no constitutional question was raised (172 Ind. 19). This case had already been reversed by the Supreme court (172 Ind. 537). The Appellate court, on June 4, 1909, retransferred the appeal to the Supreme court, on the ground that the statute defining the jurisdiction of that court expressly prohibited it from deciding any case in which a constitutional question was raised, and that its decision on the question of jurisdiction was final (44 Ind. App. 62.) The Supreme court, July 1, 1909, in a lengthy opinion, retransferred the case again to the Appellate court on the ground that its decision originally transferring it to the Appellate court must be considered as final, and that, although a constitutional question was involved, the Supreme court's decision originally transferring the case must be considered as an elimination of all constitutional questions from the case. Montgomery, C. J., however, held that the Supreme court had made a mistake in the original transfer and that the Supreme court had exclusive jurisdiction in all cases involving a constitutional question, however devoid of merit the question might be (172 Ind. 562). The Appellate court, January 7, 1910, retransferred the appeal to the Supreme court on the ground that four judges of the Appellate court could not agree on a decision. The appellee having died, this administration compromised the case and the judgment was reversed upon a confession of error (45 Ind. App. 712.)

In spite of this attitude by many lawyers, the court seems to be holding its own in public opinion and will probably not be abolished until the whole judicial system of the state is reorganized in a constitutional convention.

The other features of the judicial system remain very much as they have been from time immemorial. "Twelve good men and true" still hear the evidence and declare the verdict, in

criminal cases, being judges of both the law and the evidence. They are still selected with the same scrupulous diligence as to the ignorance of the case as when Mark Twain wrote his satire on the Nevada jury. The same grand jury as a century ago, except for slight changes in numbers, holds the semi-annual inquest on the county and finds indictments against the evil-doers. The same defect with regard to prosecuting attorneys exists as did a century ago. The office has not been attractive to the best attorneys, although, of course, many good lawyers have served in the capacity of prosecutor. The office seems to be regarded as the special province of young attorneys, and is rarely held for more than two terms in succession. This suggests that party politics has some influence on the election. The prosecuting attorney is paid \$500 per year as a salary and supplements this by fees depending largely on his success at the bar.

This feature of the office is open to the same objection as the fee system in the justices' courts. The corresponding officer in the United States courts, following the English custom, is appointed for a term of four years and placed on a salary which has no relation to the work done or suits won. This system has not found favor in Indiana largely because it is thought the present system is cheaper to the taxpayer.

Viewing the system as a whole, one may safely say that the administrative department of the government is making deep inroads on the former province of the courts. These inroads come from pressure in at least three directions. The industrial world is demanding greater expedition in the settlements of its disputes. Bureaus and commissions are taking over in large measure the former work of the courts along this line. Railroads, municipal utilities, industrial accidents, and insurance in some states, have been given over to commissions or special tribunals.

From another direction social forces are asking and receiving control over matters formerly left exclusively to the courts. Divorce courts, truancy boards, juvenile courts, probation officers, orphans' agencies, women's aid societies, and even the Christian associations are sharing this work. In all these cases there is more expedition and more regard for the

social results of the action. Women and children are generally being withdrawn from the power of the courts.

From the direction of charity, benevolence and education, the so-called saving forces of society, there is likewise pressure on the field of activity of the courts. Defectives, children and orphans are by statute turned over to these institutions for purposes of care, protection and training. So deep are these inroads becoming, that many lawyers look with some apprehension on the future of the courts. On the other hand, it is admitted by all that there is much useless and purposeless litigation in the fields just enumerated. It is conceded that society would not be the loser by the prevention of all such lawsuits, just as it is the gainer by the prevention of all diseases possible.

CIVIL AND CRIMINAL STATISTICS OF INDIANA, 1911-1915.

The work done by the Indiana county courts is strikingly set forth in the tables prepared by the bureau of statistics each year. The law requires (Burns' Revised Statutes of 1898, sections 9342-9344) the bureau "to collect, compile, systematize, publish, print and report biennially with other reports" all statistics relating to arrests and convictions in the county courts of the state. The act providing for the collection of this data also provides that the county clerk or other officers, whose duty it is to collect this material, shall make a report to the chief of the bureau of statistics not later than February 15 of each year.

The blank which is sent out lists the following crimes on which reports are to be made: Adultery, assault, assault and battery, carrying concealed weapons, cruelty, disturbing the peace, drunkenness, gambling or gaming house, loitering, petit larceny, prostitution and association, provoke, riot, speed law violations, trespass, vagrancy, violation of fish and game laws, violation of liquor laws, violation of pure food laws, and finally "all other misdemeanors." The blank also requires a statement as to the disposition of each of these specified misdemeanors.

Another set of statistics shows a resume of all civil and

criminal actions together with their disposition. The following tables have been prepared from the records in the bureau of statistics and exhibit in concise manner the amount of business which was handled by the county courts for the past five years.

SUMMARY OF CIVIL AND CRIMINAL CASES IN INDIANA, 1911-1915

Civil Cases.	1911	1912	1913	1914	1915
Cases filed	35,556	35,398	38,841	37,530	37,914
Cases disposed of	30,803	32,018	34,047	31,523	33,824
Cases venued to other counties	1,149	1,105	1,339	1,373	1,506
Cases venued from other counties	1,098	1,341	1,382	1,305	1,664
Children's cases in Juvenile court	3,463	2,234	2,901	3,447	4,175
Letters of administration issued	6,371	7,220	6,941	7,123	7,310
Guardianships issued	2,475	2,686	2,821	2,353	2,552
Decrees of foreclosures entered	1,428	1,534	1,504	2,032	2,029
Sheriff's sales	956	1,081	1,109	1,209	1,228
Adjudged of unsound mind	1,065	1,139	1,416	1,290	1,374
Marriage licenses issued	30,345	31,540	31,653	31,229	31,534
Criminal Cases.	1911	1912	1913	1914	1915
Cases filed	7,905	6,330	8,090	7,394	5,743
Cases dismissed	2,873	2,960	3,025	3,454	1,956
Cases disposed of	4,997	4,618	5,062	5,348	3,154
Cases venued to other counties	69	83	47	76	31
Cases venued from other counties	63	80	65	61	26
Convictions for felonies	1,085	1,167	1,344	1,550	1,090
Convictions for felonies released on probation	385	396	448	459	317
Convictions for misdemeanors	1,907	1,251	1,431	1,677	810
Convictions for misdemeanors released on probation	247	174	247	357	197
Cases for violation of liquor laws	1,403	837	1,274	866	729
Convictions for violations of liquor laws	617	380	488	378	210

The tables showing the arrests and convictions in the county, city and justice of the peace courts cover the years 1910 to 1914, inclusive. At the time this data was prepared (June, 1916), Grant and Vigo counties had not made their reports for 1915 and consequently it was impossible to give the statistics for 1915.

ARRESTS AND CONVICTIONS IN THE COUNTY COURTS, 1910-1914.

	FELONIES.						Total Arrests	Total Convictions
	White		Colored		Total	Total		
	Male	Female	Male	Female					Arrests	Convictions
1910	1,809	102	112	3	2,026	1,078		
1911	1,873	69	116	6	2,064	1,085		
1912	2,341	76	130	10	2,557	1,167		
1913	2,293	59	116	14	2,482	1,344		
1914	2,415	65	187	6	2,673	1,515		
	MISDEMEANORS.						Total Arrests	Total Convictions
	White		Colored		Total	Total		
	Male	Female	Male	Female					Arrests	Convictions
1910	2,486	179	65	8	2,738	1,522		
1911	3,101	240	52	--	3,393	1,907		
1912	2,237	61	61	3	2,363	1,251		
1913	2,873	109	39	2	3,023	1,431		
1914	2,517	96	121	17	2,761	1,659		

ARRESTS AND CONVICTIONS IN THE CITY COURTS.

MISDEMEANORS.

	White		Colored		Total Arrests	Total Convictions
	Male	Female	Male	Female		
1910 -----	28,521	2,523	4,344	1,036	36,424	20,206
1911 -----	30,984	2,549	4,844	1,071	39,448	21,998
1912 -----	28,847	2,716	5,337	1,181	38,081	21,067
1913 -----	29,656	2,484	4,385	1,051	37,576	22,423
1914 -----	25,384	1,940	1,572	356	29,252	18,366

ARRESTS AND CONVICTIONS IN THE JUSTICE OF THE PEACE COURTS.

MISDEMEANORS.

	White		Colored		Total Arrests	Total Convictions
	Male	Female	Male	Female		
1910 -----	11,342	597	256	86	12,281	9,834
1911 -----	12,949	900	256	108	14,315	11,408
1912 -----	11,969	899	349	102	13,319	10,099
1913 -----	12,730	923	330	98	14,081	10,500
1914 -----	10,490	606	487	80	11,663	8,746

SUMMARY OF COURTS OF INDIANA.

The following summary shows all the different courts of Indiana, the dates of their establishment and abolishment, and such other facts as are concerned with the general history of the development of the courts.

Supreme Court.

1. Constitution of 1816 provided for three members (Art. V, Sec. 1).
2. Constitution of 1851 provided for not less than three nor more than five members (Art. VII, Sec. 2).
 1. Act of February 19, 1852, provided for four members.
 2. Act of December 16, 1872, added the fifth member.

Supreme Court Commissioners.

1. Act of April 14, 1881, provided for a Commission of five members.
2. Act of March 3, 1883, extended the term of the Commission to April 14, 1885.
3. Act of 1889, provided for a second Supreme Court Commission, but the Supreme Court declared the act unconstitutional (118 Ind. 350).

Appellate Court.

1. Act of February 28, 1891, established the court and provided for five members.
2. Act of March 12, 1901, added a sixth member.

Circuit Court.

1. Constitution of 1816 provided for president judges for each circuit to be elected by the Legislature for a term of seven years, and for two associate judges for each county to be elected by the qualified voters of each county (Art. V, Sec. 3).

2. Constitution of 1851 provided for circuit judges to be elected by the voters of each circuit for a term of six years (Art. VII, Sec. 8-9).

Probate Court.

1. Territorial Probate court established with the act of August 30, 1788; abolished by the act of July 29, 1805.
2. State Probate court established, January 29, 1818.
3. Act of February 11, 1825, placed the Associate Judges in charge of the Probate court.
4. Act of January 23, 1829, provided for the election of a Probate Judge in each county in the state by the voters thereof for a period of seven years.
5. Act of May 14, 1852, abolished the Probate court and transferred all pending cases to the Common Pleas court.
6. Act of March 9, 1907, established a Probate court in counties with cities of not less than 100,000 population. This limitation restricted such a court to Marion county.

Common Pleas Court.

1. Act of June 6, 1795, established Common Pleas courts in the Northwest Territory; such courts continued during the territorial period of Indiana (1800-1816), but were not provided for by Constitution of 1816.
2. Act of February 14, 1848, established a special Common Pleas court in Tippecanoe county.
3. Act of January 4, 1849, established a special Common Pleas court in Marion county.
4. Act of February 13, 1851, established a Common Pleas court in Jefferson county, but the act seems not to have been put into operation.
5. Act of May 14, 1852, abolished the old Probate courts and special Common Pleas courts, and established Common Pleas courts in all the counties in the state. They took the place of the old Probate court and were also given jurisdiction over certain causes formerly restricted to the Circuit court.
6. Act of March 6, 1873, abolished all Common Pleas courts in the state, and transferred all pending cases to the Circuit court.

Criminal Court.

1. Act of December 20, 1865, established the first Criminal court in the state, and subsequently eight other similar courts were established, all of which have been abolished. Marion county now has the only Criminal court in the state.

Superior Court.

1. Act of February 15, 1871, established the first Superior court in Marion county. Many other counties have since established such courts, some under general and others under special acts of the Legislature.

Juvenile Court.

1. Act of March 10, 1903, established the first and only Juvenile court in the state. It is in Marion county.

Court of Claims.

1. Act of March 9, 1889, established the Court of Claims in accordance with the provision in the 1851 Constitution (Art. IV, Sec. 24). The Marion county Superior court was constituted the Court of Claims.

Court of Conciliation.

1. Act of June 12, 1852, established Courts of Conciliation in accordance with the provision of the 1851 Constitution (Art. VII, Sec. 19); abolished with the act of November 30, 1865.

Orphans' Court.

1. Act of June 16, 1795, established Orphans' courts in the Northwest Territory, and they were continued under the provisions of this act until abolished by the territorial Legislature, August 24, 1805.

Court of Chancery.

1. Act of August 2, 1805, established a Court of Chancery; abolished by the act of March 11, 1813.

Court of Impeachment.

1. Act of August 24, 1805, established a Court of Impeachment.
2. Constitution of 1816 (Art. III, Sec. 23-24) provided that the Legislature should impeach all civil officers of the state.
3. Act of 1805 was adopted by the Legislature of 1818, but it became inoperative upon the failure of the Legislature to include it in the Revision of 1824.
4. Constitution of 1851 (Art. VI, Sec. 77) provided that the Legislature could impeach all state officers for "crime, incapacity or negligence;" it also provided that state, county, township or county officers could be removed or impeached "in such manner as may be prescribed by law." No act has ever been passed providing for removal by the Legislature, but the Legislature in 1875 provided for the removal of an officer who became intoxicated while actually in the performance of his official duties.

Coroners' Court.

1. Act of December 21, 1788, established a Coroners' Court in the Northwest Territory.
2. Act of 1788, with some little change, was incorporated in the Revision of 1807.
3. Legislation under the Constitutions of 1816 and 1851 has made practically no change in the Coroners' courts since their creation in territorial days.

Justice of Peace Court.

1. Act of August 23, 1788, recognized the Justice of Peace court, and under this act these courts operated until after Indiana was organized as a Territory in 1800.
2. Act of August 12, 1805, established the court in Indiana, the act being based largely on the act of December 2 1799, which, in turn, was supplementary to the act of August 23, 1788.
3. Constitutions of 1816 (Art. V, Sec. 12) and 1851 (Art. VII, Sec. 14), provided for Justice of Peace courts.

Indiana Workmen's Compensation Act.

1. Act of March 8, 1915, created a tribunal, which, in some respects, is a judicial body. It handles all damage cases due to industrial accidents, and has the authority to settle such cases without the intervention of any other court. In effect, it becomes a court, with powers taken from the Circuit court. (Acts, 1915, p. 392).

CHAPTER XXII.

THE COUNTY COURTS OF INDIANA.

The history of the County courts of Indiana properly begins with the organization of Knox county, June 20, 1790, the date on which the county was organized by Winthrop Sargent, the secretary of the Northwest Territory. No other county was organized within the present limits of Indiana prior to 1800, when the Territory of Indiana was created by an act of Congress. The congressional act of May 7, 1800, divided the Northwest Territory by a line drawn from the mouth of the Kentucky river to Fort Recovery, in Mercer county, Ohio, and thence due north to the boundary between the United States and Canada. All the territory west of this line was designated as the Territory of Indiana, while that east of the line retained the old name of Northwest Territory.

At this time there were three counties in Indiana Territory, Knox, St. Clair and Randolph, the latter two being located in the southwestern part of the present state of Illinois, along the Mississippi river. The two Illinois counties remained a part of Indiana Territory until 1809, when Illinois Territory was organized by Congress. No attempt has been made to discuss the court history of these two counties.

While Indiana was a Territory (1800-1816), there were twelve new counties organized, that is, there were only thirteen counties formally organized when the territorial Legislature petitioned Congress for an enabling act. These counties, with the dates of their organization, number of voters and their total population in 1815, are given in the following table:

Name	Date of Organization	Voters	Pop.
Knox -----	June 20, 1790	1,391	8,068
Clark -----	February 3, 1801	1,387	7,150
Dearborn -----	March 7, 1803	902	4,424
Harrison -----	October 11, 1808	1,056	6,975
Jefferson -----	November 23, 1810	874	4,270
Franklin -----	November 27, 1810	1,430	7,370
Wayne -----	November 27, 1810	1,225	6,407
Warrick -----	March 9, 1813	280	1,415

Name	Date of Organization	Voters	Pop.
Gibson -----	March 9, 1813	1,100	5,330
Washington -----	December 21, 1813	1,420	7,317
Switzerland -----	September 7, 1814	377	1,832
Posey -----	September 7, 1814	320	1,619
Perry -----	September 7, 1814	350	1,720

Two other counties, Jackson and Orange, were organized in December, 1815, but they were considered as parts of other counties when the census was taken. In the compilation of the data for the county chapters, the complete judiciary of all the fifteen counties organized prior to November 7, 1816, has been given. The record of all the judges and justices of peace has been preserved in John Gibson's Executive Journal. This volume, in his own handwriting, is in the secretary of state's office at Indianapolis. The Indiana Historical Society published the Executive Journal (Vol. III, No. 3) in 1900, the editors being W. W. Woollen, Daniel Waite Howe and Jacob Piatt Dunn.

It is manifestly impossible in the preparation of such a work as the present publication to treat the judicial history of each county in detail. A volume might be written about the courts of each county in the state, its lawyers, its famous trials, etc., but such a procedure would far transcend the plan on which this history has been based. Briefly stated, each county chapter contains the facts concerning the organization of the county, the location of the county seat, the meeting of the first court and a complete list of all the judges and prosecutors of the various kinds of courts which have been established in the counties.

An effort has been made to make personal mention of the judges of each circuit, as well as some of the more prominent members of the local bar. Many counties have but a brief historical sketch, for the reason that the judges who presided over their courts were discussed in other counties of the circuit. For instance, in 1852 the whole state was divided into ten circuits and at least one judge had thirteen counties in his circuit. It would be unnecessary to mention this judge specifically in each county in his circuit, although in the list of judges prepared for each county his name will be found in its proper place. Many judges and lawyers of the state have contributed data on their respective counties. Many lawyers

other than judges have held prominent positions in the state and nation and are discussed elsewhere in this work.

In the first volume may be found a full discussion of all the different kind of courts and it remains only to notice them briefly in this connection. Each county in the state, with the exception of Newton, had Associate, Probate and President Judges, and prosecuting attorneys under the old Constitution. Two Associate judges for each county were elected by the voters for a term of seven years; one Probate Judge was elected by the voters of each county for seven years, after the act of January 23, 1829; President Judges for each circuit were elected by the Legislature for a term of seven years; prosecuting attorneys were elected for a one-year term by the Legislature for each circuit from 1824 until the act of February 11, 1843, which provided for their election by the voters of each circuit for a two-year term. Four years later (January 27, 1847) the Legislature provided for the election of prosecuting attorneys in each county of the state, their tenure to be three years. It must be understood that these were county and not circuit prosecutors, although they had charge of all the state's cases in the Circuit courts. Two years later (January 16, 1849) another change was made in regard to the election of the prosecutor. This act returned to the circuit system and provided for the election of one prosecutor each for the fourth and eighth circuits, but an exception was made in this act to Wabash and Cass counties, of the Eighth, and to Posey, Perry and Crawford, of the Fourth circuits. However, with the act of February 14, 1851, the state returned to the method of electing a prosecutor by the voters of each circuit, whose tenure should be two years. The acts of 1849 and 1851 will explain why there are not prosecutors listed in the counties between these two dates.

With the adoption of the present Constitution in 1852 a new system of courts was inaugurated. The former President Judge now appeared as the Circuit Judge, elected by the voters of each circuit for a term of six years. The Probate court was discontinued and its place taken by the Common Pleas court, the latter court continuing in operation until abolished by the act of March 6, 1873. An explanation of the

Common Pleas districts is given in connection with the chapter on the Minor Courts in Volume I, as is a discussion of the Superior, Criminal, Probate and Juvenile courts.

In listing the Circuit Judges, each change in circuiting is indicated, thereby making it possible to tell to which circuit a county belongs at any date. The same procedure is followed with the prosecuting attorneys. The tenure of all judges and prosecutors has been ascertained from the original commissions in the office of the secretary of state at Indianapolis. In many cases the commissions do not indicate the exact date on which the judge or prosecutor took his office, and where this happens local records have been examined in order to establish the proper date of incumbency.

It has been found that the records often are incomplete and even inaccurate; names are often misspelled or illegible or both; dates suffer in the same way; some commissions are even missing. In some instances names are spelled as many as three different ways; in at least one case, father and son, both judges, spell their names differently. Whenever there has been any doubt about the spelling of a name the local records have been depended upon for the proper spelling. The lists of the President, Circuit, Common Pleas, Superior, Criminal, Probate and Juvenile Judges, as well as the circuit, district and criminal prosecutors, have been sent to the judges now on the bench, or to some lawyer in the county, for verification. Many errors in spelling and dates have been rectified in this way. With all the efforts which have been taken to insure accuracy, there may still be found some errors.

The greatest difficulty in compiling the lists of Circuit Judges and prosecutors was encountered in those years where new circuits were created or old ones reorganized. There has been but one complete recircuiting of the state since 1852 the one provided by the act of March 6, 1873. During the decade following the Civil War, political prejudices were responsible for more than one change in circuiting. Some judges were so unpopular that influential members of the bar sought and attained the attachment of their counties to other circuits in order to be rid of a particularly obnoxious judge. By 1873 there was such a hopeless confusion in the organ-

ization of the circuits that the Legislature was compelled to take drastic measures to straighten out the situation. Since that time there has been little difficulty experienced in creating new circuits or combining circuits already organized.

ADAMS COUNTY.

Adams county required three separate legislative acts before it got organized, namely: February 2, 1835, January 23, 1836, and January 30, 1836. The latter act resulted in the formal organization of the county on the 1st of March, 1836. Decatur was chosen as the county seat within a short time after the county was organized, the site being donated by Samuel Johnson, who offered as an inducement to have the seat of justice located on his land, the sum of thirty-one hundred dollars, four church lots, half an acre for a public square, two acres for a cemetery and one acre for a seminary. He further agreed to pay the expenses of the locating commissioners and to furnish a house to hold court in until suitable buildings could be erected. This was too tempting an offer to be refused and the commissioners promptly accepted the offer "and proceeded to the aforesaid town site, and marked a white oak tree with blazes on four sides, on each of which they individually inscribed their names." Although Decatur has always been the county seat, it came very near losing it in 1850, when the town of Monroe made a strong bid for the honor. At an election held that year, four towns were voted for, the result of the election being as follows: Decatur, 474; Monroe, 343; Monmouth, 14, and Pleasant Mills, 2.

The first Circuit court convened on April 13, 1837, at the house of John Reynolds: Charles W. Ewing was the President Judge of the Eighth circuit to which Adams was attached. Robert R. Ray and John K. Evans were the Associate Judges. The first case in court was listed on the docket as Alexander Smith, Treasurer of the Board of School Trustees, vs. Thomas Ruble. The case was dismissed at the cost of the defendant. Neither of the first two Judges, G. A. Everts and S. C. Sample, who presided over the Eighth circuit be-

tween the organization of the county and December 10, 1836, when Charles W. Ewing was transferred to the circuit, held a term of court in Adams county.

ASSOCIATE JUDGES.

- Robert R. Ray-----Appointed April 18, 1836; resigned, June, 1838.
 John K. Evans-----Appointed April 18, 1836-April 18, 1850.
 William Elzey-----Appointed August 16, 1838, vice Ray resigned; resigned, July, 1841.
 Wade Loafbourrow---Appointed September 21, 1841, vice Elzey resigned; April 18, 1843.
 Ezekiel Hooper-----April 18, 1843-April 18, 1850.
 William Storkham----April 18, 1850-October 12, 1852.
 Enoch A. Bunner-----April 18, 1850-October 12, 1852.

The records state that John K. Evans resigned in May, 1841, but, of course, his reasons for so doing are not given. In the fall of the same year he was elected to the same office from which he had resigned in the spring and his commission, dated August 11, 1841, states that he was to serve seven years from April 18, 1836. There is nothing to indicate that anyone was appointed to fill the vacancy between May and August and for this reason his service is indicated as extending from April 18, 1836, to April 18, 1850.

PROBATE JUDGES.

- Robert D. Tisdale----Appointed May 1, 1839-August 15, 1839.
 James Crabs-----August 15, 1839, commission issued, but Crabs refused to accept the office.
 Robert D. Tisdale----Appointed September 23, 1839, vice Crabs, and to serve until the August, 1840, election. Tisdale was elected and served until he resigned in May, 1841.
 Josephus Martin-----August 11, 1841, commissioned, but refused to accept.
 Alvin Randall-----Appointed January 28, 1842, vice Martin; August 30, 1849.
 David Showers-----August 30, 1849-October 12, 1852.

The records in the office of Secretary of State give Tisdale as the first Probate Judge, but local records give Jacob Barks as serving from 1837 to 1839. The refusal to accept the office was due to the fact that it was not sufficiently remunerative to attract the better class of lawyers and only those with considerable training were able to fill it. Tisdale was evidently appointed after the resignation, death or removal of Barks.

COMMON PLEAS JUDGES.

- James W. Borden-----1852; resigned March 2, 1858
 Joseph Brackenridge---Appointed March 2, 1858-1864.
 James W. Borden-----1864-67, resigned.
 Robert S. Taylor-----Appointed October 29, 1867-November 2, 1868.
 David Studebaker-----1868-69, resigned.

Robert S. Taylor-----Appointed September 1, 1869-October 24, 1870.
 William W. Carson----1870-72, resigned.
 Samuel E. Sinclair----Appointed September 5, 1872-73.

DISTRICT PROSECUTING ATTORNEYS.

David Studebaker-----1852-54.
 Robert Brackenridge--1854-56.
 William G. Spencer---1856 (declined to accept).
 William L. Smith-----Appointed December 16, 1856-1858, resigned.
 John Colerick-----Appointed November 9, 1858-1859, resigned.
 Joseph S. Vance-----Appointed May 24, 1859-60.
 David T. Smith-----1860-62.
 David Colerick-----1862-66.
 Joseph S. Dailey-----1866-68.
 Benjamin F. Ibach----1868-72.
 Jacob R. Bittinger----1872-73.

PRESIDENT JUDGES.

Gustavus A. Everts---March 1, 1836; resigned July 5, 1836. Eighth circuit.
 Samuel C. Sample-----Appointed July 5, 1836-December 10, 1836. The act of December 10, 1836, reorganized the Eighth and created the Ninth, Sample being transferred to the new circuit.
 Charles W. Ewing-----December 10, 1836-January 30, 1839. The act of January 28, 1839, put Adams in the Eleventh.
 Morrison Rulon-----Commissioned January 20, 1839, but failed to qualify.
 David Kilgore-----Appointed March 1, 1839-December 15, 1841. The act of December 14, 1841, put Adams in the Twelfth.
 James W. Borden-----December 15, 1841; resigned July 31, 1851.
 Elza A. McMahon-----Appointed July 31, 1851-October 12, 1852.

CIRCUIT JUDGES.

Elza A. McMahon-----October 12, 1852; resigned to take effect August 15, 1855. Tenth circuit.
 James L. Worden-----Appointed July 19, 1855, to serve from August 15, 1855; resigned January 18, 1858, to become Judge of the Supreme court, to which he had been appointed.
 Reuben J. Dawson-----Appointed January 18, 1858-October 26, 1858.
 Edward R. Wilson----October 26, 1858-October 26, 1864.
 Robert R. Lowry-----October 26, 1864-March 6, 1873. The act of March 6, 1873, put Adams in the Twenty-sixth circuit and at the same time transferred Lowry to the Thirty-eighth.
 Jacob M. Haynes-----March 6, 1873-November 23, 1877.
 James R. Bobo-----November 23, 1877-November 23, 1889.

Daniel D. Heller.....November 23, 1889-November 23, 1901. The act of March 1, 1897, made Adams the sole county in the Twenty-sixth, where it has since remained.

Richard K. Erwin.....November 23, 1901-November 23, 1907.

James T. Merriman....November 23, 1907-November 23, 1913.

David E. Smith.....November 23, 1913; term expires November 23, 1919.

Judge Worden was appointed Supreme Judge in 1858 to fill the vacancy caused by the resignation of William Z. Stuart and served by subsequent election until 1865. He served again on the Supreme bench from 1871 until he resigned, December 2, 1882. Judge Erwin has been a member of the Supreme court of the state since January 1, 1913.

PROSECUTING ATTORNEYS.

Samuel C. Sample.....March 1, 1836-July 5, 1836. Eighth circuit.

Joseph L. Jernegan....Appointed July 5, 1836; transferred to the Ninth by the act of December 10, 1836.

Thomas Johnson.....December 10, 1836-December 3, 1838.

John W. Wright.....December 3, 1838-January 28, 1839. The act of January 28, 1839, put Adams in the Eleventh.

Jehu T. Elliott.....Appointed February 18, 1839-August 20, 1839; resigned.

John Brownlee.....Appointed August 20, 1839-December 5, 1839.

Jeremiah Smith.....December 5, 1839-December 14, 1841. The act of December 14, 1841, put Adams in the Twelfth.

William H. Combs....December 14, 1841; resigned October 30, 1843.

Robert L. Douglas....Appointed October 30, 1843-September 19, 1845.

Elza A. McMahon.....Appointed September 19, 1845-September 19, 1847.

James L. Worden.....August 28, 1851-October 12, 1852. Tenth circuit.

John M. Connell.....October 12, 1852; resigned January 27, 1853.

Joseph Brackenridge. Appointed January 27, 1853; refused to accept.

James L. Worden.....Appointed February 17, 1853, vice Connell, resigned, and Brackenridge refused to accept appointment. Worden resigned January 7, 1854, to take effect February 1, 1854.

Edward R. Wilson....Appointed February 1, 1854; resigned in August, 1856.

Sanford J. Stoughton..Appointed August 20, 1856-December 6, 1858.

James M. Defrees.....Appointed December 6, 1858; died in office in May, 1859.

John Colerick.....Appointed May 10, 1859-October 26, 1860.

Augustus A. Chapin...October 26, 1860-November 3, 1862.

James H. Schell.....November 3, 1862-November 3, 1866.

Thomas W. Wilson....November 3, 1866-November 3, 1868.

Joseph S. Dailey.....November 3, 1868-November 3, 1876. Transferred from the Eighth to the Twenty-sixth by act of March 6, 1873.

Joshua Bishop.....October 24, 1876-December 29, 1876, resigned.

Luther F. Baker.....	Appointed December 29, 1876-October 26, 1880.
John T. France.....	October 26, 1880-November 17, 1884.
Edwin C. Vaughn.....	November 17, 1884-March 9, 1885, resigned.
Oscar H. Adair.....	Appointed March 9, 1885-November 17, 1888.
Richard H. Hartford...	November 17, 1888-November 17, 1890.
George F. Whitaker....	November 17, 1890-November 17, 1892.
Richard H. Hartford...	November 17, 1892-November 17, 1894.
F. H. Snyder.....	November 17, 1894-November 17, 1896.
David E. Smith.....	November 17, 1896-November 17, 1900.
John C. Moran.....	November 17, 1900-January 1, 1907.
Henry B. Heller.....	January 1, 1907-January 1, 1911.
Rolla C. Parrish.....	January 1, 1911-January 1, 1915.
J. Fred Frichte.....	January 1, 1915; term expires January 1, 1917.

ALLEN COUNTY.

Allen county was organized by the legislative act of December 17, 1823, and the act became effective on April 1, 1824. There was no question but that the locating commissioners would select Ft. Wayne as the county seat, since it not only was the most centrally located site, but also had the advantage of the most desirable location in every other respect.

When Allen county was organized it was attached to the Third circuit, which at that time was presided over by Miles C. Eggleston. The first session of the Circuit court convened in Ft. Wayne in April, 1824, at the log tavern of Alexander Ewing. Judge Eggleston was not present, but the Associate Judges, Samuel Hanna and Benjamin Cushman, were present and, in the absence of the President Judge, took the oath of office and opened the court. Charles W. Ewing was appointed prosecuting attorney, the prosecuting attorney for the circuit, Oliver H. Smith, not being present. It is interesting to note that Gen. John Tipton, later United States senator, who was then living at Ft. Wayne, was the foreman of the first grand jury of Allen county. The first business of the court was to admit William C. Ewing to the bar.

The act of February 12, 1825, placed Allen county in the Fifth district, which at that time contained the counties of Morgan, Johnson, Shelby, Bartholomew, Decatur, Rush, Henry, Madison, Marion, Hamilton, Hendricks and Monroe. To this circuit were also later added Carroll and Hancock,

in 1828, and Cass, in 1829. Allen county was placed in the Sixth circuit by the act of January 20, 1830, and in the Eighth circuit by the act of January 7, 1833. It remained in this circuit until December 14, 1841, when it was placed in the Twelfth circuit with Wells, Huntington, Whitley, Noble, LAGRANGE, Steuben, Dekalb and Adams counties. It remained in this circuit until the adoption of the new Constitution in 1852.

Bethuel F. Morris, of Indianapolis, appeared as Presiding Judge at Ft. Wayne on June 6, 1825. At the November session of the same year, John Tipton was indicted for assault and battery, pleaded guilty and was fined three dollars, "for the use of the county seminary of Allen county." Miles C. Eggleston, of Madison, first appeared at the August term of 1826 and continued to serve as President Judge until 1830. Charles H. Test was appointed judge of the newly organized Sixth circuit on January 23, 1830. Judge Test opened the tenth term of Allen Circuit court with William N. Hood as Associate Judge and James Perry as prosecutor. Perry was from Centerville and continued in the practice of law until he was nearly ninety years of age. At the first session of the court in 1830, David H. Colerick was admitted to the bar. He was the father of six sons, all of whom became prominent citizens, one of them serving in after years as a member of the Supreme court commission.

In 1833, as above stated, Allen county was placed in the Eighth circuit and Gustavus A. Everts was appointed Judge of this new circuit. By 1836, the circuit had increased in size until it included fifteen counties, as well as a large unorganized territory which came under the jurisdiction of contiguous counties of the circuit for jurisdictional purposes. Judge Everts resigned in July, 1836, and Samuel C. Sample, of South Bend, became the President Judge. Judge Sample remained on the bench less than a year, resigning to accept a seat in Congress. After leaving that body, he became connected with one of the branches of the State Bank at South Bend. Upon the resignation of Sample, Charles W. Ewing was appointed as President Judge of the Eighth circuit and remained on the bench until he committed suicide in 1843.

In the fall of 1839 Henry Chase, of Logansport, was appointed judge of the Eighth circuit, serving until John W. Wright, of Logansport, was appointed, December 15, 1839. Judge Wright retired from the bench in December, 1841, and in the following year was elected mayor of Logansport. He was elected to the Legislature in 1856, but declined to serve. During the fall of that year he went to Kansas and took a prominent part in making a free state. He was selected a member of the Kansas Constitutional Convention, was subsequently elected to the Legislature of the state and chosen speaker of the House. After Lincoln became President, he removed to Washington, D. C., where he became a prominent member of the bar, dying in that city, October 9, 1899.

James W. Borden was appointed President Judge of the Eighth circuit on December 15, 1841, the day after Allen county was placed in the newly created Twelfth circuit, which included at that time the counties of Allen, Adams, Wells, Huntington, Whitley, Noble, Steuben, Lagrange and Dekalb. Judge Borden resigned in 1851, and was succeeded by Elza McMahan, the latter serving until the new Constitution went into operation October 12, 1852. Judge Borden afterwards became Judge of the Common Pleas court and, still later, of the Criminal court of Allen county.

The act of June 17, 1852, placed Allen in the Tenth circuit. In the fall of that year Elza A. McMahan was elected as the first judge of the circuit. Judge McMahan resigned in 1855, and was succeeded by James L. Worden, who continued on the bench until he resigned, in January, 1858, to become a member of the Supreme court. Reuben J. Dawson was appointed to fill the unexpired term of Judge Worden and was succeeded by Edward R. Wilson, who was elected in the fall of the same year for a six-year term. Robert R. Lowry ascended the bench in 1864, and served until his resignation, February 27, 1875. During his term of office, the act of March 8, 1873, united Allen with Whitley in the Thirty-eighth circuit. Judge Lowry was later elected to Congress for one term and afterwards practiced law in Ft. Wayne until his death, in 1904.

Upon Judge Lowry's resignation in 1875, Governor Hen-

dricks appointed William W. Carson to serve the remainder of the term, although the members of the local bar, with one exception, recommended the appointment of another lawyer. Strange to say, the recommendation was for a Republican and signed by every Democrat at the bar with one exception, and it was that one Democrat who was appointed by the Governor.

In the fall of 1876, Edward O'Rourke was elected Judge of the circuit and, by subsequent re-elections, held the office until November, 15, 1912, serving six full terms of six years each. Judge O'Rourke had the honor of serving longer on the bench than any other Judge in the state. John W. Eggeman, the present Judge of the circuit, ascended the bench on November 15, 1912.

It is not possible within the limits of the discussion of the courts of Allen county to enumerate all the lawyers who have practiced before the local bar. All of the various Judges and prosecuting attorneys, with dates of their tenure, are given in the roster of the judicial officers of the county. Among other lawyers who have been identified more or less with the Allen county bar, may be mentioned the following: W. H. H. Miller, who was Attorney-General of the United States under President Harrison; Walter Olds, who became a member of the Supreme court of the state; Robert S. Taylor, well known as an expert in legal affairs connected with electric affairs; Solomon D. Bayless, who served as pension agent from 1862 to 1868; Isaac Jenkinson, who was presidential elector in 1860 and United States consul at Glasgow, Scotland, from 1869 to 1874; John Morris, who served on the Supreme bench in Indiana; Robert S. Robinson, at one time Lieutenant-Governor of Indiana, and many others who might be mentioned.

The following residents of Allen county have served in Congress at various times, most of them having been lawyers: James E. White, A. H. Hamilton, Charles Chase, Walpole G. Colerick, Joseph K. Edgerton, Charles Braton, James M. Robinson and Newton Gilbert. Gilbert was Lieutenant-Governor of the state before serving as a member of Congress and was later appointed to a responsible position in the Philippine islands, where he is now living.

ASSOCIATE JUDGES.

- Samuel Hanna.....June 15, 1824.
 Benjamin Cushman.....June 15, 1824.
 William N. Hood.....April 3, 1827, vice Samuel Hanna, resigned.
 Lewis G. Thompson....February 23, 1831, to serve seven years from June 15, 1831; resigned July 19, 1835.
 William N. Hood.....July 14, 1831; removed from county and Governor issued writ of election December 9, 1833 (never held it).
 William G. Ewing.....May 5, 1834, to serve seven years from July 14, 1831 (vice William N. Hood, removed); resigned July 4, 1835.
 David Rankin.....August 14, 1835, appointed, vice William G. Ewing, resigned, to serve seven years from July 14, 1831; resigned November 30, 1836.
 Peter Hewling.....January 23, 1836, vice Lewis G. Thompson, resigned, to serve seven years from June 15, 1831.
 Marshall S. Wines....January 26, 1837, to serve seven years from July 14, 1831, vice David Rankin, resigned.
 Marshall S. Wines....September 25, 1837; resigned 1841.
 Nathan Coleman.....September 25, 1837; resigned 1841.
 Joseph H. McMakin....December 8, 1841, vice Marshall S. Wines, resigned, to serve seven years from June 15, 1838.
 Joseph H. McMakin....August 28, 1844.
 Robert Storkweather..August 28, 1844; resigned August 8, 1850.
 Andrew Metzger.....August 19, 1850, to serve seven years from June 15, 1845.

PROBATE JUDGES.

- William G. Ewing.....September 10, 1829; resigned April 20, 1834.
 Hugh McCulloch.....Appointed May 5, 1834, to serve from June 20, 1834; served until he resigned, in November, 1835.
 Thomas Johnson.....Appointed November 17, 1835-October 26, 1839.
 Reuben J. Dawson....October 26, 1839-August 17, 1840.
 Samuel Stophlet.....August 17, 1840; resigned in July, 1844.
 George Johnson.....Appointed July 18, 1844-August 20, 1847.
 Nelson McClain.....August 20, 1847-October 12, 1852.

COMMON PLEAS JUDGES.

- James W. Borden.....1852; resigned March 2, 1858.
 Joseph Brackenridge..Appointed March 2, 1858-64.
 James W. Borden.....1864-67, resigned.
 Robert S. Taylor.....Appointed October 29, 1867-November 2, 1868.
 David Studebaker....1868-69, resigned.
 Robert S. Taylor.....Appointed September 1, 1869-October 24, 1870.
 William W. Carson....1870-72, resigned.
 Samuel E. Sinclair....Appointed September 5, 1872-73.

DISTRICT PROSECUTING ATTORNEYS.

- David Studebaker-----1852-54.
 Robert Brackenridge__1854-56.
 William G. Spencer___1856 (declined to accept).
 William L. Smith_____Appointed December 16, 1856-58, resigned.
 John Colerick_____Appointed November 9, 1858-59, resigned.
 Joseph S. Vance_____Appointed May 24, 1859-60.
 David T. Smith_____1860-62.
 David Colerick_____1862-66.
 Joseph S. Dailey_____1866-68.
 Benjamin F. Ibach____1868-72.
 Jacob R. Bittinger____1872-73.

PRESIDENT JUDGES.

- Miles C. Eggleston____April 1, 1824-January 20, 1830. Third circuit. The act of January 20, 1830, put Allen in the Sixth.
 Charles H. Test_____Appointed January 23, 1830-January 7, 1833. The act of January 7, 1833, put Allen in the Eighth.
 Gustavus A. Everts____Appointed January 9, 1833; resigned July 5, 1836.
 Samuel C. Sample_____Appointed July 5, 1836-December 10, 1836.
 Charles W. Ewing_____Appointed December 1, 1836-September 1, 1839. The act of December 10, 1836, transferred Sample to the Ninth.
 Henry Chase_____Appointed September 1, 1839-December 15, 1839.
 John W. Wright_____December 15, 1839-December 15, 1841.
 James W. Borden_____Appointed December 15, 1841; resigned to take effect July 31, 1851. The act of December 14, 1841, put Allen in the Twelfth.
 Elza McMahon_____Appointed July 23, 1851-October 12, 1852.

CIRCUIT JUDGES.

- Elza A. McMahon_____October 12, 1852; resigned July 19, 1855, to take effect August 15, 1855. Tenth circuit.
 James L. Worden_____Appointed August 15, 1855; resigned January 18, 1858. The Allen Circuit records show that Judge Worden opened his first court on September 3, 1855.
 Reuben J. Dawson_____Appointed January 18, 1858-October 26, 1858.
 Edward R. Wilson_____October 26, 1858-October 26, 1864.
 Robert R. Lowry_____October 26, 1864; resigned February 27, 1875. The act of March 6, 1873, united Allen and Whitley in the Thirty-eighth.
 William W. Carson_____Appointed February 27, 1875-October 24, 1876. The act of March 9, 1875, made Allen the sole county in the Thirty-eighth, where it has since remained.
 Edward O'Rourke_____October 24, 1876-November 15, 1912.
 John W. Eggeman_____November 15, 1912; term expires November 15, 1918.

PROSECUTING ATTORNEYS.

- Oliver H. Smith.....August 9, 1824-August 1, 1826, resigned. Third circuit.
- Amos Lane.....Appointed August 1, 1826-December 30, 1826.
- Cyrus Finch.....December 30, 1826-December 30, 1828.
- M. M. Ray.....December 30, 1828-January 20, 1830. The act of January 20, 1830, put Allen in the Sixth.
- James Perry.....January 25, 1830-January 25, 1832.
- William J. Brown.....January 25, 1832-January 7, 1833. The act of January 7, 1833, put Allen in the Eighth.
- John B. Chapman.....January 10, 1833-August 11, 1834, resigned.
- Samuel C. Sample.....Appointed August 11, 1834-July 5, 1836, resigned.
- Joseph L. Jernegan...Appointed July 5, 1836-December 10, 1836; transferred to Ninth.
- Thomas Johnson.....December 10, 1836-December 3, 1838.
- John W. Wright.....December 3, 1838-December 5, 1839.
- Lucian P. Ferry.....December 5, 1839-December 14, 1841. The act of December 15, 1841, put Allen in the Twelfth.
- William H. Combs....Appointed December 14, 1841-October 30, 1843.
- Robert L. Douglas....December 14, 1843-September 19, 1845.
- Elza A. McMahon.....September 19, 1845-September 19, 1847.
- James L. Worden.....August 28, 1851-October 12, 1852. Tenth circuit.
- John M. Connell.....October 12, 1852; resigned January 27, 1853.
- Joseph Brackenridge..Appointed January 27, 1853; refused to accept.
- James L. Worden.....Appointed February 17, 1853, vice Connell, resigned, and Brackenridge refused to accept appointment. Worden resigned January 7, 1854, to take effect February 1, 1854.
- Edward R. Wilson....Appointed January 26, 1854, to serve from February 1, 1854; resigned August, 1856.
- Sanford J. Stoughton..Appointed August 20, 1856-December 6, 1858.
- James M. Defrees.....December 6, 1858; died in office, May, 1859.
- John Colerick.....Appointed May 10, 1859-October 26, 1860.
- August A. Chapin.....October 30, 1860-November 3, 1862.
- James H. Schell.....November 3, 1862-November 3, 1866.
- Thomas W. Wilson....November 3, 1866-November 3, 1868.
- Joseph S. Dailey.....November 3, 1868-March 6, 1873. The act of March 6, 1873, put Allen in the Thirty-eighth, where it has since remained.
- Jacob R. Bittinger....Appointed March 29, 1873-October 27, 1877.
- James F. Morrison....October 27, 1877; resigned November 6, 1880.
- Charles M. Dawson...November 6, 1880-October 22, 1887. Dawson was first commissioned October 25, 1880, to serve two years from October 22, 1881, but Morrison resigning, Dawson evidently assumed the office at the time of the former's resignation.
- James M. Robinson....October 22, 1887-October 22, 1891.

Philemon B. Colerick	October 22, 1891-October 22, 1895.
N. B. Doughman	October 22, 1895-October 22, 1899.
Emmett V. Emrick	October 22, 1899-January 1, 1904.
Ronald T. Dawson	January 1, 1904-January 1, 1906.
Daniel B. Ninde	January 1, 1906-January 1, 1908.
Albert E. Thomas	January 1, 1908-January 1, 1912.
Harry H. Hilgemann	January 1, 1912-January 1, 1916.
Frank A. Emrick	January 1, 1916; term expires January 1, 1918.

SUPERIOR COURT.

The present Superior court of Allen county was established by the legislative act of March 5, 1877. Immediately after the court was established, Governor Williams appointed Allen Zollars as Judge of the court until the first regular election should select a successor. Judge Zollars resigned in 1877 in favor of the first elected Judge, Robert Lowry. Judge Lowry served until he was elected to Congress in 1882. James L. Worden was appointed to succeed Lowry and held the office until his death, June 2, 1884. Lindley M. Ninde served by appointment from June to November, 1884, at which time Samuel M. Hench was elected and ascended the bench. Augustus A. Chapin was elected in 1886 and served until 1890, when Charles M. Dawson succeeded him. Judge Dawson died in office on October 4, 1899, and the Governor appointed William J. Vesey to fill the unexpired term of nearly three years. Owen N. Heaton went on the bench in November, 1902, and served by re-election until November, 1914, when the present incumbent, Carl Yapple, assumed the office. Judge Yapple's term expires November 15, 1918.

CRIMINAL JUDGES AND PROSECUTORS.

The Allen Criminal court was established as the Twentieth circuit by the legislative act of March 9, 1867, and was abolished by the act of February 27, 1883. By the provisions of the act abolishing the court, it was to expire by limitation on October 31, 1884. James A. Fay was appointed by the Governor, March 12, 1867, to serve until the first regular election. The successors of Judge Fay served in the following order (the dates are those on which they received their

commissions from the Governor) : James W. Borden, October 23, 1867; Joseph Brackenridge, October 24, 1870; James W. Borden, October 22, 1874, and by re-election served until his death, on April 26, 1882; Warren H. Withers, appointed May 1, 1882, and served until November, 1882, election; Samuel M. Hench, November, 1882-October 1, 1884. The prosecutors of the Criminal court in Allen county during its existence from 1867 to 1884 were as follow: Robert S. Taylor, 1867; Edward O'Rourke, 1867-72; Joseph S. France, 1872-74 (died in July); Samuel M. Hench, 1874-81; William S. O'Rourke, 1881-84. When the Criminal court was abolished, October 1, 1884, all cases pending before the court at that time were transferred to the Circuit court.

BARTHOLOMEW COUNTY.

Bartholomew county was organized out of Delaware and Jackson counties by an act of the General Assembly, approved January 8, 1821. At that time Bartholomew county included the greater part of what is now Brown county. The locating commissioners selected the present site of Columbus for the county seat and its central location has made it the most satisfactory site which could have been chosen. John Tipton, later United States senator from Indiana, figures in an interesting way in the founding of the county seat of Columbus. Tipton donated thirty acres for the site and the commissioners, grateful for the generous donation, named the new county seat Tiptona in his honor. This was done on February 15, 1821, but for some reason the commissioners at their next meeting, March 20, rescinded their order of the previous month and called the new town Columbus. This was done, according to the most reliable report, on account of Tipton's political views.

Immediately after the organization of the county, the board of commissioners purchased from Luke Bonesteel, a small double log house, which was to be used as a court house. It was found that it was entirely too small for the purpose intended and in November, 1821, arrangements were made to build a new court house of brick, two stories high, forty feet square and twenty-five feet high. The house purchased from

Bonesteel was sold in 1824, and for several years the county officials were installed in such quarters as could be obtained at different places in the town. There were many delays in the construction of the court house, but it was finally completed in September, 1831. In 1839, a new court house, built of brick and with stone trimming, was constructed at a cost of eight thousand five hundred dollars. This building stood in the center of the present public square and, at the time of its completion, was ample for the needs of the county. In 1870 the building was sold for three hundred and fifty dollars. Shortly afterward, a contract was let for the construction of a new building. This court house, when completed, cost approximately two hundred and twenty-five thousand dollars. The building was dedicated December 29, 1874, and is still in use.

The first term of the Circuit court in Bartholomew county was held in the old log house owned by Luke Bonesteel, near where the old county bridge afterward was located. Until the court house on the public square was erected, court was held in a room fitted up by Philip Sweetser at the tavern of Thomas Hinkston and Newton Jones. Davis Floyd, a soldier in the War for Independence, was the first President Judge. He had been tried for complicity in the Burr conspiracy and sent to jail for one hour, but had restored himself to public confidence by a gallant service in the War of 1812. He presided but one term (October, 1821), the Associate Judges presiding in his absence, until the 15th day of July, 1822, when William W. Wick, of Indianapolis, succeeded Judge Floyd as President Judge.

Judge Wick was a man of fine literary and legal attainments and, notwithstanding the fact that he was a politician, made an acceptable Judge. He was a Judge, a member of Congress, and filled many other offices with honor to himself and satisfaction to the people. He died at Franklin. At the March term, 1825, he was succeeded by B. F. Morris, of Indianapolis. Judge Morris was a ripe scholar, well grounded in the elementary principles of the law and served with much satisfaction to the bar and litigants until he resigned in 1834. He was succeeded by Judge Wick, who, at the expiration of

his term, was succeeded by James Morrison, of Indianapolis. Judge Morrison was pre-eminently qualified for the position. After he retired from the bench, and even from the actual practice of his profession, so highly was he esteemed as a judge of law and for his unswerving integrity, that important questions of law involving large interests, were frequently submitted to him by both sides, and his opinions cheerfully acquiesced in, thus avoiding the bitterness, delay and uncertainty of litigation. He always declined to investigate for an opinion favorable to the applicant, when applied to by but one side, but contracted in advance for an investigation, the fee being the same whether the opinion should be favorable or unfavorable.

William J. Peaslee, of Shelbyville (1842-49), succeeded Judge Morrison. Judge Peaslee was not "learned in the law," and gave indifferent satisfaction. He was succeeded by William W. Wick, who was appointed on August 17, 1849, and served until October 12, 1852, Alexander C. Downey succeeded Judge Wick. For a young lawyer, Judge Downey was admirably equipped in all respects for the position. Owing to inadequate salary, he resigned on August 1, 1858, and afterwards served on the bench of the Supreme court with distinguished ability. To fill the vacancy caused by the resignation of Judge Downey, Governor Willard appointed John W. Spencer. Judge Spencer was not a good lawyer; he was stolid, without sensibility. The celebrated Mewherter case was tried before him. Execution against Mewherter for a large amount had been returned "no property found," and the plaintiff proceeded against him for execution against his body, charging that he had a large sum of money which he refused to apply in payment. Under the law, if the jury found that he had money, giving the amount, it was the duty of the court to imprison him until he disgorged. There is but little doubt that Mewherter had a large sum of money, but he was a desperate man, and before and during the trial he assured his attorneys and others that the plaintiff would not gain anything but a dead body by a verdict against him. The jury found that he had some thirteen thousand dollars. Immediately upon reading the verdict, Mewherter drew a pistol and

shot himself dead. Of course there was the most intense excitement and confusion in court; not so, however, with Judge Spencer; he calmly directed the sheriff to remove the body, and called the next case for trial. It was not tried that day. Joseph W. Chapman, of Madison, (1858-64) was the next Judge. He was an able lawyer, but too technical for a Judge, and at times testy. On the whole, however, he is kindly remembered by the bar.

John G. Berkshire, of Versailles, succeeded Judge Chapman. When elected in 1864, Judge Berkshire was just starting out as a lawyer, and, being an almost entire stranger to the Columbus bar, then one of the ablest in the state, it was greatly feared that he would not give satisfaction. In this, however, the bar was most agreeably surprised, for no Judge ever before or since gave more general satisfaction. Judge Berkshire was well-grounded in the elementary principles of the law; had a well-balanced, discriminating, legal mind, and, above all, he was eminently fair and impartial. By a change (May 5, 1869) Bartholomew county was placed in the Twenty-eighth circuit, necessitating the appointment of a Judge. Governor Baker appointed A. L. Robinson on May 18, 1869, and upon his resignation, August 25, 1869, the Governor appointed Samuel P. Oyler. Judge Oyler made an acceptable Judge and was succeeded by David D. Banta, of Franklin, who during the short time (1870-73) he was on the bench in this county was in very poor health and for that reason did not appear to good advantage, although a ripe scholar and good lawyer. During Judge Banta's term, by another change (March 6, 1873) Bartholomew and Brown were made the Ninth circuit, and Governor Hendricks appointed James S. Hester, of Brown, who served under the appointment and subsequent election until his death, July 28, 1879. Judge Hester was a trained lawyer, and, until his health failed, was one of the best Judges in the state.

Nathan T. Carr, of Columbus, was appointed on August 1, 1879, and at the next election was elected for a full term. Judge Carr was not a well-read lawyer; he was a man of bright, but not well-trained or balanced, intellect. Because of his peculiar disposition he was arbitrary and apt to take

sides. Judge Carr was pre-eminently a jury lawyer. In politics he was bold, daring and aggressive, but too arbitrary and self-willed for a successful politician. He was elected to Congress to fill the vacancy caused by the death of M. C. Kerr, and the memorable Hayes-Tilden controversy was adjusted during the time he served. Almost alone, he stood out against a compromise, fighting it with great ability and bitterness. But when adopted, and when it seemed to him that undue obstructions to its consummation were interposed, he reminded his party colleagues that the compromise was the creature of their own folly, as he termed it, and insisted that it be faithfully carried out. His objection to the plan of adjustment afterward gave him high standing in his party, and but for his domineering disposition, he would have been a successful leader. Dying before his term expired (May, 1885) Governor Porter, on the unanimous request of the bar of both counties, appointed Nelson R. Keyes, of Columbus, and, although a Democrat in politics, so highly was he esteemed that both parties endorsed him for election, and he was elected without opposition, and served with great satisfaction not only to the bar but to the people until his death in the office on January 18, 1892. He was a well-trained lawyer, fair and impartial. Judge Keyes came from Kentucky to Columbus when quite young, almost a stranger, and by his ability and gentlemanly deportment soon built up a large practice. Pecuniarily he made quite a sacrifice in abandoning the practice for the bench.

Marshall Hacker was appointed January 20, 1892, to fill the unexpired term of Judge Keyes, and was succeeded in November of the same year by Francis T. Hord, who served until 1904. During his tenure the act of February 28, 1899, constituted Bartholomew and Decatur, the sole counties of the Ninth circuit. Marshall Hacker was elected in November, 1904, for a six-year term and was followed in 1910 by Hugh Wickens, the present incumbent.

Zachariah Tannehill was the first Judge of the Common Pleas court upon its organization in 1853. He was a farmer-politician, not a lawyer, never having read law. He had a copy of "Greenleaf on Evidence;" how or why he came by it

no one ever knew certainly. It was suspected, however, that a certain attorney gave it to him, for on all occasions he read extracts from "Your Honor's own book," which, nine times out of ten, were wholly irrelevant, but insisted, nevertheless, almost invariably, to the satisfaction of the court, that the law as laid down by Greenleaf, covered the case under consideration.

Judge Tannehill was succeeded in 1856 by N. T. Hauser, an attorney of Columbus, who made an acceptable Judge. Ralph Applewhite, an attorney of Brownstown, the next Judge, was an educated lawyer and made a most excellent Judge. Beattie McClelland, an attorney of Columbus, the next incumbent, was well read in the elementary principles of the law, and made an amiable, courteous Judge, giving good satisfaction. He resigned on April 28, 1862, and was succeeded by Jephtha D. New, an attorney of Vernon, a well-equipped lawyer, painstaking and conscientious. Judge New afterward served in Congress (1875-77) and was one of the first Judges of the Appellate court, (1891-93). Frank Emerson, an attorney of Brownstown, was the last Judge of the Common Pleas court, serving from 1867 to 1873. He was a man of strong convictions and somewhat arbitrary.

ASSOCIATE JUDGES.

John Pence.....	February 20, 1821.
Ephraim Arnold.....	February 20, 1821; died in July, 1822.
Thomas Hinkson.....	September 18, 1822, vice Ephraim Arnold, deceased.
Samuel Downing.....	Resigned.
Nathan Davis.....	September 9, 1826, vice Samuel Downing, resigned.
Jesse Spurgeon.....	August 17, 1827.
David Hager.....	August 17, 1827.
James Taggart.....	August 22, 1834.
Hiram Wilson.....	August 22, 1834.
Aaron Farmer.....	August 15, 1836, vice James Taggart, to serve seven years from February 20, 1835.
James N. Love.....	August 22, 1837, to serve seven years from February 20, 1835.
Samuel B. Kechom.....	August 10, 1839, vice Hiram Wilson, resigned.
Joseph Hiner.....	August 18, 1841, to serve seven years from February 20, 1842.
Akin A. Wiles.....	August 18, 1841, to serve seven years from February 20, 1842.

Thomas Lawton.....	August 21, 1845, to serve seven years from February 20, 1842.
Jacob Jane.....	August 19, 1848, to serve seven years from February 20, 1849.
George B. McQueen.....	August 19, 1848, to serve seven years from February 20, 1849.
James Hobbs, Sr.....	August 17, 1850, to serve seven years from February 20, 1850; died March 4, 1851.
William Ruckle.....	April 19, 1851, elected at special election to succeed James Hobbs, Sr., deceased.

PROBATE JUDGES.

Samuel M. Osborne.....	August 15, 1829-May 24, 1830, resigned.
Evan Arnold.....	Appointed May 24, 1830-September 8, 1830.
William Jones.....	September 8, 1830-August 22, 1837.
Tunis Quick.....	August 22, 1837-August 11, 1840, resigned.
Henry B. Rowland.....	August 11, 1840-August 17, 1847.
Matthias M. Hook.....	August 17, 1847-October 12, 1852.

COMMON PLEAS JUDGES.

Zachariah Tannehill.....	1852-56.
Nathaniel T. Hauser.....	1856-60.
Ralph Applewhite.....	1860; resigned April 28, 1862.
Simon Stausifer.....	Appointed April 28, 1862-November 1, 1862.
Beattie McClelland	1862-64.
Jephtha D. New.....	1864-68.
Frank Emerson.....	1868-73.

DISTRICT PROSECUTING ATTORNEYS.

Samuel H. Kriddlebaugh.....	1852-54, resigned.
Nathaniel F. Houser.....	Appointed March 27, 1854.
Ralph Hill.....	1854-56, resigned.
George W. Yocom.....	1856-57, moved from county.
William Singleton.....	Appointed February 24, 1857.
Francis T. Hord.....	1857-60.
Lycurgus Irwin.....	1860-62, resigned.
Jeremiah Buudy.....	Appointed January 17, 1862.
Jephtha D. New.....	1862-64.
William L. Bane.....	1864-65, resigned.
John M. Kerr.....	Appointed August 25, 1865.
Marion Mooney.....	1865-66.
Newton Croke.....	1866-70.
Wilson S. Swengel.....	1870-72.
George W. Cooper.....	1872-73.

PRESIDENT JUDGES.

Davis Floyd.....	February 12, 1821-December 31, 1821. The act of December 31, 1821, took Bartholomew out of the Second and put it in the Fifth.
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- W. W. Wick.....Appointed February 7, 1822-January 20, 1825; resigned.
- Bethuel F. Morris.....Appointed January 20, 1825-December 4, 1834; resigned.
- W. W. Wick.....Appointed December 4, 1834-August 2, 1839; resigned.
- James Morrison.....Appointed August 2, 1839-August 15, 1842; resigned.
- William Quarles.....Appointed August 15, 1842; returned commission September 28, 1842.
- Stephen Major.....Appointed September 28, 1842; declined to accept commission.
- Fabius M. Finch.....Appointed October 6, 1842-December 16, 1842.
- William J. Peaslee.....December 16, 1842-September 17, 1849; resigned.
- W. W. Wick.....Appointed September 17, 1849-October 12, 1852.

CIRCUIT JUDGES.

- Alexander C. Downey...October 12, 1852; resigned August 1, 1858, to take effect August 9. First circuit.
- John W. Spencer.....Appointed August 9, 1858-October 26, 1858.
- Joseph W. Chapman...October 26, 1858-October 26, 1864.
- John G. Berkshire....October 26, 1864-May 5, 1869. The act of May 5, 1869, placed Bartholomew in the Twenty-eighth.
- Andrew L. Robinson...Appointed May 18, 1869; resigned August 25, 1869.
- Samuel P. Oyler.....Appointed August 25, 1869-October 24, 1870.
- David D. Banta.....October 24, 1870-March 6, 1873. The act of March 6, 1873, put Bartholomew in the Ninth.
- James S. Hester.....Appointed March 15, 1873; died in office July 28, 1879.
- Nathan T. Carr.....Appointed August 1, 1879; died in office in May, 1885.
- Nelson R. Keyes.....Appointed May 30, 1885; died in office January 16, 1892.
- Marshall Hacker.....Appointed January 20, 1892;-November 19, 1892.
- Francis T. Hord.....November 19, 1892-November 18, 1904. The act of February 28, 1899, constituted Bartholomew and Decatur the Ninth, where they have since remained.
- Marshall Hacker.....November 18, 1904-November 19, 1910.
- Hugh Wickens.....November 19, 1910; term expires November 19, 1916.

PROSECUTING ATTORNEYS.

- Harvey Gregg.....August 9, 1824-August 9, 1825. Fifth district.
- Calvin Fletcher.....August 9, 1825-August 14, 1826.
- James Whitcomb.....August 14, 1826-January 14, 1829.
- W. W. Wick.....January 14, 1829-December 15, 1830; resigned.

- Phillip Sweetzer-----Appointed December 15, 1830-March 10, 1831; resigned.
- Hiram Brown-----Appointed March 10, 1831-December 12, 1831.
- Harvey Gregg-----December 12, 1831-April 11, 1833; resigned.
- William Herod-----Appointed April 11, 1833-December 9, 1836; resigned.
- William Quarles-----December 9, 1836-April 13, 1839; resigned.
- William J. Peaslee-----April 13, 1839-January 29, 1841; resigned.
- Hugh O'Neal-----January 20, 1841-January 29, 1843.
- Abram A. Hammond-----January 29, 1843-January 29, 1847.
- Edward Lander-----January 29, 1847-January 29, 1849.
- David S. Gooding-----August 27, 1851-October 12, 1852.
- Robert P. Moore-----October 12, 1852; resigned March 1, 1854. First circuit.
- Daniel Kelso-----November 7, 1854-November 7, 1856.
- Francis Adkinson-----November 7, 1856-November 7, 1858.
- George W. Richardson--November 7, 1858-November 7, 1862.
- James M. Myers-----November 7, 1862; resigned June 16, 1864.
- Benjamin F. Lewis-----Appointed June 16, 1864-November 1, 1865.
- John A. Miller-----Appointed November 1, 1865-November 3, 1868.
- John Denton-----November 3, 1868-May 5, 1869. The act of May 5, 1869, placed Bartholomew in the Twenty-eighth.
- William P. Hargrave-----Appointed May 18, 1869-August 23, 1869.
- Daniel W. Howe-----Appointed August 23, 1869-October 24, 1870.
- Nathan T. Carr-----October 24, 1870-June 25, 1872; resigned.
- John W. Morgan-----Appointed June 25, 1872-March 6, 1873. The act of March 6, 1873, placed Bartholomew in the Ninth.
- George W. Cooper-----Appointed March 15, 1873-October 22, 1873.
- Amos Burns-----October 22, 1873-October 22, 1875.
- William W. Browning--October 22, 1875-October 22, 1877.
- Wilson S. Swengle-----October 22, 1877-October 22, 1879.
- Washington C. Duncan--October 22, 1879-October 2, 1881.
- Webster Dixon-----October 22, 1881-October 22, 1885.
- Anderson Percifield-----October 22, 1885-October 22, 1889.
- W. H. Everroad-----October 22, 1889-October 22, 1891.
- William M. Waltman---October 22, 1891-October 22, 1895.
- William H. Shea-----October 22, 1895-November 17, 1898.
- John L. Davis-----November 17, 1898-January 1, 1901.
- Thomas L. Creath-----January 1, 1901-January 1, 1903.
- John W. Craig-----January 1, 1903-January 1, 1907.
- Albert W. Phillips-----January 1, 1907-January 1, 1909.
- William V. O'Donnell---January 1, 1909-January 1, 1911.
- Ralph H. Spaugh-----January 1, 1911-January 1, 1913.
- Lewis A. Harding-----January 1, 1913; term expires January 1, 1917.

BENTON COUNTY.

Benton county was organized by the Legislature, January 4, 1840, and the act became effective on the 18th of the following month. The act organizing the county did not, for some reason, name commissioners to locate the county seat, although the act ordered the first court to be held at the house of Basil Justus. His home was a short distance south of the present town of Oxford and here the courts were held for the first three years. It was not until January 31, 1843, that the Legislature passed an act providing for the location of the county seat. This same act ordered the locating commissioners to meet on the third Monday in May, 1843, at the house of Basil Justus and proceed to examine the various sites offered for the county seat. They finally chose a site on section 18, township 34, range 7, on land donated by Henry W. Ellsworth and David Watkinson.

In September, 1843, the county commissioners ordered a court house erected at the new county seat "in the town of Milroy." The town was named Milroy in honor of Samuel Milroy, one of the locating commissioners, but, it being subsequently learned that there was already another town of that name in the state, the board of commissioners at the October session of 1843 "ordered that the seat of justice in Benton county be called Oxford." The entry in the order book shows, however, that in entering this order, the name had first been written Hartford, and that at a subsequent time, and with ink of a different color from that in which the first order was made, the name Hartford had been marked out, and the name Oxford inserted. Just when this change was made has not been ascertained. Thirty years were to elapse before the bitter Oxford-Fowler county-seat fight formally opened. Fowler had been laid out in 1871 for the ostensible purpose of making a bid for the county seat. It was, of course, a mistake to put the first county seat as far south as Oxford, the town being three miles from the southern boundary of the county. At the time it was chosen, nearly the whole population was in the southern part of the county, but by 1873 the county was well settled, and there was a demand for a more central location. The immediate cause of the

opening of hostilities was the condemnation of the court house at Oxford. An architect reported on March 20, 1873, that the building was beyond repair, and at once the Fowler people planned a campaign to secure the county seat. They saw that if a new court house should be built at Oxford that they would have to wait for many years before another opportunity presented itself. Accordingly, they opened a vigorous fight, which was marked by injunctions, lawsuits, mandamuses, petitions and counter petitions. The commissioners first ordered the new court house built at Oxford, but when the smoke of battle cleared away, it was seen quietly resting in the town of Fowler. The formal transfer appears to have been made on July 10, 1874. Thus ended a fight which left a bitter feeling between the two rival towns which has not yet died down.

The first term of court in Benton county was held at the house of Basil Justus, November 4, 1840, with Isaac A. Naylor as President Judge and David McConnell and Matthew Terwillinger as Associate Judges. At this first session, Joseph E. McDonald, later United States senator, was appointed prosecuting attorney. The county was slow in filling up and for the first five years court was held at private houses, most of the sessions being held at the house of Basil Justus. It was not until 1845 that the court met for the first time in the newly constructed court house at Oxford.

Isaac A. Naylor was the only President Judge to preside over the circuit which included Benton county and he served the full twelve years from 1840 to 1852, at which time the office was abolished. The Circuit Judges from 1852 to the present time are as follows: William P. Bryant, 1852-4; John Pettit, 1854-56; Charles H. Test, 1856-70; David P. Vinton, 1870-72; Edwin P. Hammond, 1872-83; Peter H. Ward, 1883-90; Edward P. Hammond, 1890-92; U. Z. Wiley, 1892-97; Simon P. Thompson, 1897-99; Joseph M. Rabb, 1899-1906; James T. Saunderson, 1906-12; Barton B. Berry, 1912—term will expire November 15, 1918.

The Associate Judges during the twelve years the county existed under the old constitution were six in number, namely:

David McConnell and Matthew Terwillinger, 1841-44; Basil Justus and John Sheets, 1844-50; Harvey H. Crawford and John McConnell, 1850-52. Two Probate Judges served in Benton county: Samuel McConnell, 1840-47; and William Cochran, 1847-52. During the twenty-one years the Common Pleas court was in existence, five judges served on the bench in Benton county, but only one, Daniel Mills, resided in Benton county. He was the first Common Pleas Judge, the other four serving in the following order: William R. Boyer, G. A. Wood, David P. Vinton and Alfred Reed.

ASSOCIATE JUDGES.

David McConnell.....July 1, 1840; resigned July, 1843.
 Matthew Terwillinger...July 1, 1840; died in November, 1843.
 Lewis B. Williams.....October 3, 1843 (special election), to serve seven years from July 1, 1840, vice David McConnell, resigned.
 John McConnell.....January 24, 1844 (special election), to serve seven years from July 1, 1840, vice Matthew Terwillinger, deceased.
 Basil Justus.....August 11, 1846, to serve seven years from July 1, 1847; resigned March 17, 1851.
 John Sheets.....August 11, 1846, to serve seven years from July 1, 1847; resigned March 17, 1851.
 Harvey H. Crawford...May 5, 1851 (special election).
 John McConnell.....May 5, 1851 (special election).

PROBATE JUDGES.

Samuel McConnell.....August 27, 1840.
 William Cochran.....September 21, 1847, to serve seven years from July 1, 1847.

COMMON PLEAS JUDGES.

Daniel Mills.....1852-56.
 William R. Boyer.....1856-60.
 Gustavus A. Wood....1860-61, resigned.
 David P. Vinton.....Appointed July 1, 1861-67.
 Alfred Reed.....Appointed March 12, 1867-November 4, 1867.
 B. F. Schermerhorn...1867-69.
 Alfred Reed.....1869-72.

DISTRICT PROSECUTING ATTORNEYS.

James R. M. Bryant...1852-56.
 William H. Thompson.1856-57, resigned.
 Henry M. Nourse.....Appointed August 13, 1857-60.
 Lewis C. Pierce.....1860-64.

Wm. DeWitt Wallace...1864-67, resigned.
 Levi M. Graham.....Appointed March 25, 1867.
 Alfred W. Reynolds...1867-70.
 Thomas L. Merrick...1870-72.
 William E. Uhl.....1872-73.

PRESIDENT JUDGES.

When Benton county was organized, it was attached to the First circuit and no change was made in its circuiting until 1852. Isaac Naylor had been commissioned Judge of the First circuit, January 27, 1838, and was the Judge when Benton county began its formal career on February 18, 1840. Judge Naylor continued on the bench of the First circuit until the adoption of the new Constitution, October 12, 1852.

CIRCUIT JUDGES.

William P. Bryant....October 12, 1852-February 9, 1855. Eighth circuit. The act of February 9, 1855, took Benton out of the Eighth and put in in the Twelfth.
 John Pettit.....Appointed March 5, 1855; resigned October 7, 1855.
 David Turpie.....Appointed October 7, 1855-November 9, 1855.
 Andrew Ingram.....November 9, 1855; resigned April 11, 1857.
 John Pettit.....Appointed April 13, 1857-October 27, 1857.
 Charles H. Test.....October 27, 1857-October 24, 1870.
 David P. Vinton.....October 24, 1870-March 6, 1873. The act of March 6, 1873, put Benton in the Thirtieth.
 Edwin P. Hammond...Appointed in March, 1873-May 21, 1883, resigned.
 Peter H. Ward.....Appointed May 21, 1883-November 14, 1890.
 Edwin P. Hammond...November 14, 1890-August, 1892, resigned.
 U. Z. Wiley.....Appointed August 31, 1892; resigned October 12, 1896.
 William Darroch.....Appointed October 13, 1896-November 10, 1896.
 Simon P. Thompson...November 10, 1896-February 24, 1899. The act of February 24, 1899, put Benton in the Twenty-first.
 Joseph M. Rabb.....February 24, 1899-November 15, 1906. Judge Rabb had been on the bench of the Twenty-first since November 15, 1882. The act of March 3, 1905, constituted Benton and Warren the Twenty-first, where they have since remained.
 James T. Saunderson...November 15, 1906-November 15, 1912.
 Barton B. Berry.....November 15, 1912; term expires November 15, 1918.

PROSECUTING ATTORNEYS.

Samuel C. Willson....December 5, 1839-September 4, 1843, resigned. First circuit.
 Joseph E. McDonald...September 4, 1843-September 19, 1847.

- Lewis Wallace-----August 18, 1851-October 12, 1852.
 Lewis Wallace-----October 12, 1852-May 14, 1853, resigned. Eighth circuit.
 Daniel W. Voorhees---Appointed May 14, 1853; resigned July 24, 1854.
 Samuel L. Telford----Appointed July 24, 1853-November 7, 1854.
 Charles A. Naylor-----November 7, 1854-October 30, 1856. The act of February 9, 1855, put Benton in the Twelfth and transferred Naylor with it.
 John L. Miller-----October 30, 1856-November 3, 1862.
 William D. Lee-----November 3, 1862-November 3, 1864.
 Frank B. Everett-----November 3, 1864-November 3, 1868
 James M. Justice-----November 3, 1868-November 3, 1870.
 Frank B. Everett-----November 3, 1870-November 3, 1872.
 Simon P. Thompson---November 3, 1872-November 3, 1876. The act of March 6, 1873, put Benton in the Thirtieth and transferred Thompson with it.
 Henry S. Travis-----November 3, 1876-November 3, 1878.
 Frank W. Babcock----November 3, 1878-November 3, 1880.
 David L. Bishop-----November 3, 1880-November 17, 1882.
 Mathew H. Walker----November 17, 1882-November 17, 1886.
 Ralph W. Marshall----November 17, 1886-November 17, 1890.
 John T. Brown-----November 17, 1890-November 17, 1894.
 T. C. Annabel-----November 17, 1894; died in office March, 1895.
 James W. Douthit----Appointed March 30, 1895-November 17, 1896.
 Albert E. Chizum----November 17, 1896-February 24, 1899. The act of February 24, 1899, put Benton in the Twenty-first.
 James W. Brissey----February 24, 1899-January 1, 1901.
 Clyde H. Wyand-----January 1, 1901; resigned April 16, 1902.
 Omer B. Ratcliff-----January 1, 1903-January 1, 1907. There is no record of a prosecutor appointed to fill the interval between April 16, 1902, and January 1, 1903.
 E. Grant Hall-----January 1, 1907-January 1, 1909.
 John J. Hall-----January 1, 1909-January 1, 1913.
 Carl E. McHaffey-----January 1, 1913; term expires January 1, 1917.

BLACKFORD COUNTY.

Blackford county was organized by an act of the Legislature, approved February 15, 1838, but the county experienced considerable difficulty in getting started. It was cut off from Jay county, the latter county willingly relinquishing the territory because, as one old settler of Jay county said, "It was a big swamp, anyhow." This fact may account for the difficulty the county had in getting its organization perfected. In fact, it took two separate acts of the Legislature

to get the county itself on the map. The first act, of February 15, 1838, intended that it should be ready to open for business on the first Monday of April, 1838. Commissioners were named to locate the county seat, but nothing seems to have been done. The next year (January 29, 1838) the Legislature passed a second act, again authorizing the establishment of the county. A second set of commissioners was named to locate a county seat, the act ordering them to meet for this purpose on the second Monday of the following month. When this second commission reported, and what site it selected, has not been ascertained, but it must have been unsatisfactory, since the following Legislature (February 24, 1840) appointed a third set of commissioners to locate a county seat for Blackford county. However, it was provided in this act that it should not take effect "unless a majority of the legal voters of Blackford county, on the first Monday in August, shall vote for a relocation of the said county seat of Blackford county." It is very evident that the friends of relocation lost out, because the following year the Legislature was importuned for the fourth time to pass an act providing for the relocation of a county seat. The fourth set of locating commissioners was appointed by the act of February 4, 1841, but they do not appear to have changed the former location. It seems certain that the second set of locating commissioners selected the present site of Hartford City. The town was at first called Hartford, but shortly afterward it was changed to Hartford City at the suggestion of F. L. Shelton.

The first term of the Circuit court of Blackford county was held at the house of Andrew Boggs on Monday, September 23, 1839, before Judge David Kilgore, who was assisted in his duties by Associate Judges Andrew Boggs and Henry Stewart. John Brownlee, of Marion, was the prosecuting attorney at this first session of the court of the county.

At the first term of the court, Jehu T. Elliott, of New Castle, who, twenty-five years later, served as a Judge on the Supreme bench of Indiana; Andrew Kennedy, who served in the twenty-seventh, twenty-eighth and twenty-ninth sessions of Congress; John Marshall, Jacob C. Julian, afterward a well-known attorney at Indianapolis; Joseph Anthony and

Moses Jenkinson, of Ft. Wayne, were admitted to practice law.

In May, 1846, Jeremiah Smith, of Winchester, succeeded David Kilgore as President Judge of the Eleventh circuit, receiving a commission for a term of seven years from January 30, 1846. The retiring Judge, who was familiarly known at the time as the "Delaware Chief," was a prominent citizen of the state. In 1848 he was the Whig candidate for Congress from the Tenth district, but was defeated by Andrew J. Harlan. In 1856 and 1858, Judge Kilgore was elected to Congress as a Republican from the Fifth district. After Judge Smith's term expired in 1852, he was succeeded by Joseph Anthony, who served until 1858. Joseph S. Buckles followed Anthony in 1858 and served until 1870, when Silas Colgrove, of Winchester, became Circuit Judge, serving until 1873, when a circuit was formed of Blackford, Grant and Huntington counties. James R. Slack, of Huntington, served as Judge of this circuit from 1873 until his death in 1881, when Governor Porter appointed Henry B. Sayler, of Huntington, as Slack's successor. In 1882, Judge Sayler was elected for a full term. The Legislature of 1885 organized Grant and Blackford counties as the Forty-eighth circuit, and William H. Carroll, of Hartford City, was appointed Judge by Governor Gray. At the election in November, 1886, R. T. St. John was elected Judge and in 1892 he was succeeded by J. L. Custer. The Legislature of 1893 made Blackford and Wells counties the Twenty-eighth circuit, and for a few weeks J. S. Dailey, of Bluffton, occupied the bench. Resigning in July of that year, he was succeeded by Edwin C. Vaughn, who served until 1906, when he was succeeded by Charles E. Sturgis, of Bluffton. The present Judge is William H. Eichhorn, who succeeded Judge Sturgis in 1912. Judge Eichhorn is a resident of Bluffton. His term will expire November 17, 1918.

The first practicing lawyers in Blackford county were Joseph S. Buckles, George S. Howell and Edward G. Carroll. Buckles came from Muncie and while practicing law also served as deputy auditor, clerk and recorder. He did not remain in Hartford City long, but returned to Muncie, where, for many years he was one of the leading attorneys. He was

originally a Democrat, but became a Republican during the early part of the Civil War. Howell succeeded Buckles as Judge of the Circuit court of Blackford county.

George S. Howell came to Hartford City in 1840 and engaged in the practice of law. He was elected to the Legislature in 1848, 1852 and 1862. He was elected treasurer of Blackford county in 1870. In 1875 he passed away at the age of sixty years. Judge Howell was a lifelong Democrat.

Wellington Stewart, who was a successful practitioner at the Blackford county bar for many years, served as prosecuting attorney of the Circuit court and also as county auditor. In 1851 he moved to Nevada. Andrew J. Neff, another lawyer of the early days, was elected to the Legislature in 1856. Soon after the expiration of his term moved to Winchester, where he enlisted in the army, serving two years in the Eighty-fourth Indiana Volunteer Infantry, being promoted during that time from first lieutenant to colonel of the regiment.

Abraham B. Jetmore, who came from Delaware county to Hartford City in 1859, was only twenty-two years old at the time. After remaining here for some time, he moved to Missouri in 1871, and a few years later to Topeka, Kansas, where he has been a very successful lawyer.

William A. Bonham, who was admitted to the bar of the Blackford Circuit court in 1860, was recognized as one of the leading attorneys of the county for many years. He was state senator from Blackford and Delaware counties from 1864 to 1868, and in 1876 was the Republican candidate for Congress in the Twelfth district.

Jacob T. Wells, who was born in 1832 in Guernsey county, Ohio, received his education in the district schools, at Liber College, and at Asbury (now DePauw) University. He taught school for a time and in 1861 enlisted in Company B, Thirty-fourth Regiment, Indiana Volunteer Infantry. After studying law in the office of W. A. Bonham, he began the practice in 1867. He moved to Missouri in 1872, but later returned to Hartford City and, in the fall of 1876, moved to Peru, where he died the following summer.

George W. Steele, for many years a well-known lawyer and congressman from the Eleventh district for several terms,

opened a law office in Hartford City in 1861. At the beginning of the Civil War, he enlisted in the Twelfth Indiana Regiment and later in the One Hundred and First Regiment.

ASSOCIATE JUDGES.

Andrew Boggs.....	August 20, 1839; resigned August, 1839.
Henry Stewart.....	August 20, 1839; resigned June, 1841.
James Havens.....	October 12, 1839; resigned June, 1841.
John Cave.....	August 21, 1841, to serve seven years from August 20, 1839, vice Henry Stewart, resigned.
John Beal.....	August 17, 1846, to serve seven years from August 20, 1839, vice Henry Stewart, resigned.
John Beal.....	August 21, 1841, to serve seven years from August 20, 1846.
John Wandle	August 17, 1846, to serve seven years from August 20, 1846; removed from county, March, 1847.
William Cartwright....	May 11, 1847 (special election), to serve seven years from August 20, 1846, vice John Wandle, resigned.

PROBATE JUDGES.

There were only three Probate Judges from the time of the organization of the county, February 18, 1839, until the time of the adoption of the new Constitution, October 12, 1852. William Hadden was elected, August 16, 1839, and served until the 7th of the following October, when Isaac Spaulding ascended the bench. He occupied the office until September 6, 1847, when he was succeeded by Lewis Bailey, who held the office until October 12, 1852.

COMMON PLEAS JUDGES.

Walter March.....	1852-56.
Henry S. Kelley.....	1856-60.
Jacob M. Haynes.....	1860-71, resigned.
John J. Cheney.....	Appointed November 22, 1871-73.

DISTRICT PROSECUTING ATTORNEYS.

William Brotherton....	1852-54.
Henry S. Kelley.....	1854-56.
R. T. St. John.....	1856-58.
John D. Chipman.....	1858-60.
T. J. Hosford.....	1860-62.
Enos L. Watson.....	1862-64.
John T. Hawkins.....	1864-66.
Arthur C. Mellett.....	1866-68.
Philip A. B. Kennedy..	1868-72.
William H. Lewis.....	1872-73.

PRESIDENT JUDGES.

At the time of its organization in 1839, Blackford county was put in the Eleventh circuit. Morrison Rulon had been commissioned Judge of this circuit on January 30, 1839, but failed to qualify, and on the 1st of the following March, David Kilgore was commissioned Judge and served until January 30, 1846. He was succeeded on that date by Jeremiah Smith, who served until the new Constitution went into operation on October 12, 1852.

CIRCUIT JUDGES.

Joseph Anthony-----October 12, 1852-October 26, 1858. Seventh circuit.
 Joseph S. Buckles-----October 26, 1858-February 11, 1867. The act of February 11, 1867, put Blackford in the Thirteenth.
 Sflas Colgrove-----February 11, 1867-November 23, 1871. Judge Colgrove had been on the bench of the Thirteenth since January 2, 1865.
 Jacob M. Haynes-----November 23, 1871-March 6, 1873. The act of March 6, 1873, put Blackford in the Twenty-eighth.
 James R. Slack-----Appointed April 1, 1873-August 15, 1881 (died in office).
 Henry B. Sayler -----Appointed August 15, 1881-March 3, 1885. The act of March 3, 1865, put Blackford in the Forty-eighth.
 William H. Carroll----Appointed March 12, 1885-November 15, 1886.
 Robert T. St. John-----November 15, 1886-November 15, 1892.
 Joseph L. Custer-----November 15, 1892-March 4, 1893. The act of March 4, 1893, put Blackford in the Twenty-eighth with Wells, where it has since remained.
 Joseph S. Dailey-----March 4, 1893-resigned July 24, 1893. Judge Dailey had been on the bench of the Twenty-eighth since November 17, 1888.
 Edwin C. Vaughn-----Appointed July 24, 1893-November 17, 1906.
 Charles E. Sturgis-----November 17, 1906-November 17, 1912.
 William H. Eichhorn---November 17, 1912; term expires November 17, 1918.

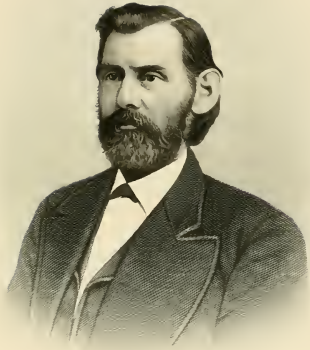
PROSECUTING ATTORNEYS.

Jehu T. Elliott-----February 18, 1839-August 20, 1839; resigned. Eleventh circuit.
 John Brownlee-----Appointed August 20, 1839-December 5, 1839.
 Jeremiah Smith-----December 5, 1839-December 15, 1841.
 John M. Wallace-----December 15, 1841-November 14, 1843; resigned.
 John Davis-----November 14, 1843-September 7, 1846.
 Joseph B. Buckles-----September 7, 1846-September 7, 1848.
 William Garver-----Appointed August 20, 1851-October 12, 1852.

- Silas Colgrove.....October 12, 1852-November 7, 1854. Seventh circuit.
- Elijah B. Martindale...November 7, 1854; resigned February 16, 1855, upon being transferred to Thirteenth.
- Andrew J. Neff.....Appointed March 5, 1855-November 9, 1855.
- William Brotherton....November 9, 1855-November 12, 1857.
- David Nation.....November 12, 1857-October 31, 1859.
- David Moss.....October 31, 1859-November 12, 1861.
- John A. Harrison.....November 12, 1861-November 12, 1865.
- Lemuel G. Gooding.....November 12, 1865-February 11, 1867. The act of February 11, 1867, put Blackford in the Thirteenth.
- James N. TemplerFebruary 11, 1867-November 23, 1867.
- Daniel M. Bradbury...November 23, 1867-October 24, 1870.
- Elisha B. Reynolds....October 24, 1870-October 21, 1872.
- Daniel W. Comstock...October 21, 1872-March 6, 1873. The act of March 6, 1873, put Blackford in the Twenty-eighth.
- John W. Morgan.....Appointed March 6, 1873-October 28, 1873.
- Alfred Moore.....October 28, 1873-October 28, 1877.
- Asbury E. Steele.....October 28, 1877-October 28, 1879.
- Charles W. Watkins...October 28, 1879-October 28, 1883.
- George W. Gibson....October 28, 1883-March 3, 1885. The act of March 3, 1885, put Blackford in the Twenty-eighth.
- Sidney W. Cantwell...March 3, 1885-October 28, 1889.
- Charles M. Ratliff...October 28, 1889-March 4, 1893. The act of March 4, 1893, put Blackford in the Twenty-eighth with Wells, where it has since remained.
- J. A. Hindman.....Appointed March 8, 1893-November 17, 1896.
- Aaron M. Waltz.....November 17, 1896-January 1, 1901.
- John Burns.....January 1, 1901-January 1, 1905.
- Ashley G. Ernschwiler...January 1, 1905-January 1, 1909.
- Ethan W. Secrest.....January 1, 1909-January 1, 1913.
- Lee F. Sprague.....January 1, 1913; term expires January 1, 1917.

BOONE COUNTY.

Boone county was organized by the legislative act of February 10, 1831, the act becoming effective on the 1st of the following April. The first county seat of Boone county was at Jamestown, where the house of John Galvin served as a temporary court house for a part of the first year. Thorn-town was also a temporary county seat while the first court house was in process of construction at Lebanon. It is evident from the records, however, that Jamestown was really considered the county seat, as evidenced from the legislative act of January 26, 1832, which provided for commissioners



J. J. Cason

to relocate the seat of justice. This commission was ordered to choose a site within two miles of the center of the county and, until the proper buildings were erected at the future county seat, the courts were to hold their sessions at the home of John Galvin at Jamestown, "and at such other places in said county as said courts may think proper." The court house was first ready for occupancy in the fall of 1833.

The first session of the Circuit court of Boone county was held at the home of John Galvin in Jamestown, in April, 1832, with Bethuel F. Morris as the Presiding Judge and William Kenworthy and Jacob Johns as the Associate Judges. The first prosecuting attorney was Harvey Gregg. The second session of the court was held at Thorntown, October 18, 1832, at the house of Cornelius Westfall. The third session was held at the house of Rev. Abner H. Longley in the spring of 1833. The next session, the fourth, met at the new log court house.

Upon its organization, Boone county became a part of the Fifth judicial circuit, with Marion, Hendricks, Morgan, Johnson, Bartholomew, Shelby, Hancock, Madison and Hamilton counties. Grant county was later added to the Fifth circuit. By an act of March 4, 1852, Boone county was detached from the Fifth circuit and attached to the First circuit, but, after the adoption of the new Constitution, the act of June 17, 1852, made it a part of the Eighth circuit, which included, besides Boone county, Parke, Vermillion, Montgomery, Fountain, Warren, Benton, Tippecanoe, Clinton and Jasper counties. The circuit remained practically unchanged until an act, approved March 6, 1873, organized Boone and Clinton counties as the Twentieth circuit. In 1883 Clinton county was taken out of the circuit and Boone county has since remained the sole county in the Twentieth circuit.

The first Judge of the Boone Circuit court was Bethuel F. Morris, of Indianapolis, who served until he resigned in December, 1834. William W. Wick, of Indianapolis, was appointed December 4, 1834, and served continuously until his resignation in 1839. James Morrison, of Indianapolis, was appointed to fill the vacancy caused by the resignation of Judge Wick. Judge Morrison was succeeded by William J.

Peaslee, of Shelbyville, in December, 1842, and served until 1849, when Judge Wick again took his place on the bench. Judge Wick served until 1852, when he was succeeded by Isaac Naylor, of Crawfordsville. The act of March 4, 1852, placed Boone in the First circuit, over which Judge Naylor was at that time presiding. William P. Bryant, the first Judge under the new Constitution, was succeeded on the bench of the Boone Circuit court in 1858 by John M. Cowan, of Frankfort, who served until 1870 and was then succeeded by Thomas F. Davidson, of Covington. Judge Davidson was succeeded on the bench by Judge Truman H. Palmer, of Frankfort, when the act of March 6, 1873, placed Boone in the Twentieth Circuit. Judge Palmer was appointed March 12, 1873, and served by election until 1879.

Thomas J. Terhune, who followed Judge Palmer in 1879, was born in Greene county, Indiana, March 8, 1848, and received his primary education in the free schools and with other young men of the neighborhood, by special instructions from Jesse Hanna, a graduate of Asbury (now DePauw) University. He entered Indiana University in 1869 and graduated from the academic department in 1873 and from the law department in 1874. The same year he located at Lebanon as a partner of A. J. Boone and R. W. Harrison, later becoming a partner of John W. Clemens. Terhune won fame by the prosecution for the disbarment of W. B. Walls, a hard-fought case, which was appealed to the Supreme court of Indiana (64 Ind. 462). Terhune won every point. This was largely the cause of his election to the office of Circuit Judge in 1878. Judge Terhune was re-elected in 1884 and served until 1888, when he resigned and formed a partnership with Barton S. Higgins. After the resignation of Judge Terhune in 1888, he was succeeded by J. A. Abbott, who served the remainder of his term. Judge Abbott was succeeded in 1890 by the late Judge Stephen Neal. Judge Neal was born June 11, 1817, in Pennsylvania county, Virginia, and was the son of John Neal, who immigrated to the state of Kentucky in 1819. In the Academy of Moorefield, Judge Neal studied Latin and Greek, and later read law in the office of Hon. Joseph G. Marshall at Madison. He was admitted

to the practice at Carlisle, Kentucky, in 1841 and, in 1843, located at Lebanon, where he remained until his death. In 1846 he was elected a representative from Boone county to the Legislature, and in 1847 was re-elected. During the session of the 1847 Legislature, he secured the passage of a bill forbidding the granting of legislative divorces. This provision was inserted in the Constitution of 1850. Judge Neal was a Jeffersonian Democrat and enjoys the distinction of being the author of the fourteenth amendment to the Constitution of the United States. In April, 1866, he formulated this amendment and forwarded it to the Hon. Godlove S. Orth, then a member of Congress from Indiana. Judge Neal died a few years ago at a very ripe age.

When Judge Neal retired from the bench in 1896, he was succeeded by the venerable Barton S. Higgins, who served until 1902. Judge Higgins was succeeded by Samuel R. Artman, who served until 1908, when Judge Willet H. Parr, the present incumbent, was elected. Judge Parr was re-elected to a second term in 1914.

The Boone county Probate court was first held at the home of David Hoover, November 4, 1830, and court was held there until 1833, when it was held at Lebanon.

The present Governor of Indiana, Samuel M. Ralston, resided at Lebanon at the time of his election to the office of Governor in 1912.

ASSOCIATE JUDGES.

William Kenworthy	April 9, 1832; resigned June 12, 1835.
Jacob Johns	April 9, 1832.
Stephen Sims	April 11, 1835, to serve seven years from April 9, 1832.
Samuel Cason	August 17, 1836, vice Stephen Sims (removed from county), to hold seven years from April 9, 1832.
Samuel Cason	August 23, 1838, to serve seven years from April 9, 1839.
Samuel Dooley	August 23, 1838, to serve seven years from April 9, 1839.
Noah L. Pitzer	August 21, 1845, to serve seven years from April 9, 1846.
Samuel Cason	August 21, 1845, to serve seven years from April 9, 1846.

PROBATE JUDGES.

- William Rodman.....September 8, 1830; resigned June 12, 1835.
 Cornelius Westfall.....August 11, 1835.
 Samuel McClain.....August 17, 1836, vice Cornelius Westfall, resigned.
 Lucien P. FerryOctober 5, 1836.
 Seaman Buckles.....August 18, 1843.
 William McDaniel.....May 7, 1844, vice Buckles, resigned.
 Jonathan H. Rose.....August 19, 1844.
 William McDaniel.....December 31, 1844, vice Jonathan H. Rose, removed
 from county.
 Samuel McLean.....August 21, 1845, to serve seven years from Septem-
 ber 8, 1844.
 James A. Thompson.....August 22, 1851, to serve seven years from Septem-
 ber 8, 1851.

COMMON PLEAS JUDGES.

- Lorenzo C. Dougherty...1852-60.
 John Coburn.....1860-61, resigned.
 Charles A. Ray.....Appointed September 30, 1861; resigned December
 7, 1864.
 Solomon Blair.....Appointed December 13, 1864-67.
 Thomas J. Cason.....Appointed March 14, 1867-71.
 Truman H. Palmer....1871-73.

DISTRICT PROSECUTING ATTORNEYS.

- Abner V. Austin.....1852-54.
 Michael D. White.....1854-56, resigned.
 Bayless W. Hanna.....Appointed October 28, 1856-58; removed from dis-
 trict.
 C. C. Galvin.....Appointed March 25, 1858.
 John Morgan.....1858-60.
 John C. Buffkin.....1860-64.
 William W. Woollen...1864-67. Act March 11, 1867, Boone put in Twenty-
 fourth district.
 Samuel N. Doyal.....Appointed March 14, 1867-70.
 James V. Kemp.....1870-72.
 Gilbert H. Goodwin...1872-73.

PRESIDENT JUDGES.

- Bethuel F. Morris.....April 1, 1831-December 4, 1834; resigned. Fifth
 circuit.
 W. W. Wick.....Appointed December 4, 1834-August 2, 1839; re-
 signed.
 James Morrison.....Appointed August 2, 1839-August 15, 1842.
 William Quarles.....August 15, 1842; returned commission September
 28, 1842.
 Stephen Major.....Appointed September 28, 1842; declined to accept
 commission.

Fabius M. Finch.....Appointed October 6, 1842-December 16, 1842.
 William J. Peaslee.....December 16, 1842-September 17, 1849.
 W. W. Wick.....September 17, 1849-March 4, 1852. The act of
 March 4, 1852, put Boone in the First.
 Isaac Naylor.....March 4, 1852-October 12, 1852.

CIRCUIT JUDGES.

William P. Bryant.....October 12, 1852-November 1, 1858. Eighth circuit.
 John M. Cowan.....November 1, 1858-November 1, 1870.
 Thomas F. Davidson...November 1, 1870-March 6, 1873. The act of March
 6, 1873, placed Boone in the Twentieth.
 Truman H. Palmer.....Appointed March 12, 1873-October 24, 1879.
 Thomas J. Terhune.....October 24, 1879; resigned November 16, 1888. The
 act of March 2, 1883, made Boone the sole county
 in the Twentieth, where it has since remained.
 John A. Abbott.....Appointed November 18, 1888-November 10, 1890.
 Stephen Neal.....November 10, 1890-November 10, 1896.
 Barton S. Higgins.....November 10, 1896-November 10, 1902.
 Samuel R. Artman.....November 10, 1902-November 10, 1908.
 Willett H. Parr.....November 10, 1908; term expires November 10,
 1920.

PROSECUTING ATTORNEYS.

Hiram Brown.....April 1, 1831-December 12, 1831. Fifth circuit.
 Harvey Gregg.....Appointed December 12, 1831-April 11, 1833.
 William Herod.....April 11, 1833-December 9, 1836, resigned.
 William Quarles.....December 9, 1836-April 13, 1839, resigned.
 William J. Peaslee.....April 13, 1839-January 29, 1841, resigned.
 Hugh O'Neal.....January 29, 1841-January 29, 1843.
 Abram A. Hammond...January 29, 1843-January 29, 1847.
 Edward Lander.....January 29, 1847-January 29, 1849.
 David S. Gooding.....August 27, 1851-March 4, 1852. The act of March
 4, 1852, put Boone in the First.
 Lew Wallace.....March 4, 1852-May 14, 1853. The act of June 17,
 1852, put Boone in the Eighth, and transferred
 Wallace from the First to the Eighth.
 Daniel W. Voorhees...May 14, 1853; resigned July 24, 1854.
 Samuel L. Telford.....Appointed July 24, 1854-November 7, 1854.
 Charles A. Naylor.....November 7, 1854-February 9, 1855. The act of
 February 9, 1855, transferred Naylor from the
 Eighth to the Twelfth.
 James M. Allen.....Appointed February 20, 1855-May 30, 1856.
 Henry Shannon.....Appointed May 30, 1856-November 2, 1856.
 Thomas N. Rice.....November 2, 1856-November 12, 1858.
 Robert W. Harrison...November 12, 1858-November 12, 1862.
 Samuel F. Wood.....November 12, 1862; resigned October 12, 1868.
 Horton C. Patterson...Appointed October 12, 1868-November 3, 1868.

- Robert B. F. Peirce---November 3, 1868-March 6, 1873. The act of March 6, 1873, put Boone in the Twentieth.
- Gilbert H. Goodwin---Appointed March 12, 1873-October 24, 1873.
- William B. Walls-----October 24, 1873-October 24, 1875.
- Henry C. Wills-----October 24, 1875-October 24, 1877.
- William R. Moore-----October 24, 1877-October 24, 1881.
- Francis M. Charlton---October 24, 1881-October 24, 1885.
- Barton S. Higgins-----October 24, 1885-October 24, 1887.
- Cassius M. Wynkoop---October 24, 1887-August 27, 1888.
- Joseph D. Emmert-----Appointed August 27, 1888, to serve until successor was selected and qualified.
- Cyrus A. Beamer-----Commissioned November 17, 1888, to serve two years from October 24, 1889, but before his term of office began, he resigned on January 31, 1889.
- Charles M. Zion-----Appointed February 5, 1889, vice Beamer resigned. Zion served until November 17, 1890.
- Harvey P. New-----November 17, 1890-November 17, 1892.
- Patrick H. Dutch-----November 17, 1892-November 17, 1894.
- Noah Laughrum-----November 17, 1894-November 17, 1896.
- Reed Holloman-----November 17, 1896-November 17, 1898.
- John B. Shelby-----November 17, 1898-January 1, 1901.
- John C. Perkins-----January 1, 1901-January 1, 1903.
- Frank E. Hutchinson---January 1, 1901-January 1, 1907.
- John W. Hornaday-----January 1, 1907-January 1, 1909.
- Fred Graves-----January 1, 1909-May 7, 1909.
- Roy W. Adney-----Appointed May 7, 1909-January 1, 1911.
- William J. Wood-----January 1, 1911-January 1, 1913.
- Vasco Dodson-----January 1, 1913-January 1, 1915.
- Pearlus E. Smiley-----January 1, 1915; term expires January 1, 1917.

BROWN COUNTY.

Brown county was organized by the Legislature on February 4, 1836, the act providing that the county should start its independent career on the 1st of the following April. The political complexion of the people is evidenced by the name which they gave their county seat. When it was first selected, it was called Jacksonburg in honor of the old hero of New Orleans, but for some reason the name was changed to Nashville within a year after the county was organized. Nashville is one of the three county seats of the state which is not located on a railroad and, for this reason, there has been considerable agitation since the Illinois Central has been built through the county to move the seat of justice to Helmsburg, a town on that railroad.

The first term of the Circuit court of Brown county was held at the house of James Dawson on April 20, 1837, with Elisha M. Huntington as President Judge and James Taggart and Lewis F. Raper as Associate Judges. The first Probate court in the county was held on May 8, 1837, at the court house in Nashville with James McIntire on the bench. The first Common Pleas court in Brown county convened at Nashville, January 31, 1853, with William G. Quick on the bench. He held the office until 1856.

ASSOCIATE JUDGES.

James Taggart.....	July 9, 1836.
Lewis F. Raper.....	July 9, 1836.
John Hoover.....	August 12, 1843.
Jonathan Watson.....	August 12, 1843.
Hiram C. Waddel.....	August 24, 1848, to serve seven years from August 12, 1843.
John C. Marshall.....	August 17, 1850, to serve seven years from August 12, 1850.
Milton Fleener.....	August 17, 1850, to serve seven years from August 12, 1850.

PROBATE JUDGES.

James McIntire.....	November 16, 1836.
Patterson C. Parker.....	May 3, 1838, appointed, vice James McIntire, deceased. Commission not issued to Patterson C. Parker.
Cornelius W. Tucker....	October 6, 1838.
Joseph Stilson.....	March 14, 1840, appointed.
John C. Marshall.....	August 13, 1840, to serve seven years from date.
James Watson.....	August 19, 1847, to serve seven years from date.

COMMON PLEAS JUDGES.

William G. Quick.....	1852-56.
George A. Buskirk.....	1856-64.
Oliver J. Glessner.....	1864-68.
Thomas W. Woollen.....	1868-70, resigned.
Richard L. Coffee.....	Appointed October 15, 1870-73.

DISTRICT PROSECUTING ATTORNEYS.

Daniel W. McClure....	1852-53, resigned.
Thomas L. Perry.....	Appointed December 20, 1853-56.
A. D. Cuning.....	1856-57, resigned.
Thomas L. Perry.....	Appointed October 30, 1857-58.
E. K. Millen.....	1858-60, resigned.

Stephen Thresher-----1860-61, resigned.
 James Harrison-----Appointed January 7, 1861-62.
 David D. Banta -----1862-64.
 Kendall M. Hord-----1864-66.
 Francis M. Conner-----1866-68.
 James A. Reeves-----1868-69, resigned.
 William C. Stansifer--Appointed May 24, 1869-70.
 George W. Workman---1870-72, died.
 James A. Jordan-----Appointed August 21, 1872.
 Charles W. Snow-----1872-73.

PRESIDENT JUDGES.

Brown county was organized by the act of February 4, 1836, which went into effect April, 1836, when it was placed in the Seventh circuit. At this time Amory Kinney was on the bench in this circuit, although he never held a term of court in Brown county. The first Judge to hold court in this county was Elisha M. Huntington, who took the office January 25, 1837, and served until January 28, 1839. An act passed on that date put Brown county in the Tenth circuit, on which David McDonald was then serving as Judge. He continued on the bench of this circuit until the new Constitution went into effect, October 12, 1852.

CIRCUIT JUDGES.

Alexander C. Downey--October 12, 1852; resigned August 1, 1858, to take effect August 9. First circuit.
 John W. Spencer-----August 9, 1858-October 25, 1858.
 Joseph W. Chapman----October 26, 1858-October 26, 1864.
 John G. Berkshire-----October 26, 1864-May 5, 1869. The act of May 5, 1869, placed Brown in the Twenty-eighth.
 Andrew L. Robinson---Appointed May 18, 1869; resigned August 25, 1869.
 Samuel P. Oyler-----Appointed August 25, 1869-October 24, 1870.
 David D. Banta-----October 24, 1870-March 6, 1873. The act of March 6, 1873, put Brown in the Ninth.
 James S. Hester-----Appointed March 15, 1873; died in office July 28, 1879.
 Nathan T. Carr-----Appointed August 1, 1879; died in office in May, 1885.
 Nelson R. Keyes-----Appointed May 30, 1885; died in office January 16, 1892.
 Marshall Hacker-----Appointed January 20, 1892-November 19, 1892.
 Francis T. Hord-----November 19, 1892-February 28, 1899. The act of February 28, 1899, constituted Brown and Johnson the Eighth circuit, where they have since remained.

William J. Buckingham. February 28, 1899-November 13, 1906. The act of February 28, 1899, transferred Buckingham from the Sixteenth to the Eighth.

William E. Deupree. November 13, 1906; term expires November 13, 1918.

PROSECUTING ATTORNEYS.

David McDonald. April 1, 1836-August 17, 1837; resigned. Seventh circuit.

John Cowgill. August 17, 1837-February 13, 1838.

Delana R. Eckles. February 13, 1838-January 28, 1839. The act of January 28, 1839, put Brown in the Tenth.

John I. Watts. Appointed February 1, 1839-February 1, 1843.

William G. Quick. February 1, 1843-February 1, 1845.

Craven P. Hester. February 1, 1845-February 1, 1847.

William M. Franklin. August 23, 1851-October 12, 1852.

Robert P. Moore. October 12, 1852; resigned March 1, 1854. First circuit.

Daniel Kelso. November 7, 1854-November 7, 1856.

Francis Adkinson. November 7, 1856-November 7, 1858.

George W. Richardson. November 7, 1858-November 7, 1862.

James M. Myers. November 7, 1862; resigned June 16, 1864.

Benjamin F. Lewis. Appointed June 16, 1864-November 1, 1865.

John A. Miller. November 1, 1865-November 3, 1868.

John Denton. November 3, 1868-May 5, 1869. The act of May 5, 1869, put Brown in the Twenty-eighth.

William P. Hargrave. Appointed May 18, 1869-August 23, 1869.

Daniel W. Howe. August 23, 1869-October 24, 1870.

Nathan T. Carr. October 24, 1870-June 25, 1872; resigned.

John W. Morgan. Appointed June 25, 1872-March 6, 1873. The act of March 6, 1873, put Brown in the Ninth.

George W. Cooper. Appointed March 15, 1873-October 22, 1873.

Amos Burns. October 22, 1873-October 22, 1875.

William W. Browning. October 22, 1875-October 22, 1877.

Wilson S. Swingle. October 22, 1877-October 22, 1879.

Washington C. Duncan. October 22, 1879-October 22, 1881.

Webster Dixon. October 22, 1881-October 22, 1885.

Anderson Percifield. October 22, 1885-October 22, 1889.

W. H. Everroad. October 22, 1889-October 22, 1891.

William M. Waltman. October 22, 1891-October 22, 1895.

William H. Shea. October 22, 1895-November 17, 1898.

John L. Davis. November 17, 1898-February 28, 1899. The act of February 28, 1899, put Brown in the Eighth, where it has since remained.

Elmer E. Roland. February 28, 1899-October 22, 1899.

Thomas Williams. January 1, 1906-January 1, 1908.

Henry E. White. January 1, 1909-January 1, 1914.

John P. Wright. January 1, 1914; term expires January 1, 1918.

CARROLL COUNTY.

Carroll county was organized by an act of the Legislature, approved January 7, 1828, and, according to its provisions, it was to become effective on the 1st of the following May. The first seat of justice was on a tract of land of one hundred acres, which was a part of section 29, range 2 west, township 25 north. The land was donated for the location of the county seat by William Wilson, who at that time was living on the land. The locating commissioners called the new county seat Carrollton, but for some reason this name was changed by the board of commissioners to Delphi, on May 24, 1828.

The organization act designated the house of Daniel Baum, then located in the bottoms of Deer creek, west of where the Wabash railroad passes through the town, as the place for holding courts. The Circuit, Probate and Commissioners' courts were all held in the house of Baum during 1828 and part of 1829. In the fall of the latter year, a school house, which had just been erected during that summer, served as a court room. It was not until 1831 that the county started the erection of a court house and the building was not ready for occupancy until September, 1832. It was a brick structure, costing the county \$1,351, and served the purpose for which it was built for the next quarter of a century.

The first term of the Carroll Circuit court was held in the house of Daniel Baum, May 8, 1828. Bethuel F. Morris was the Presiding Judge and Isaac Griffith and Christopher McCombs were the Associate Judges. The first Prosecuting Attorney was appointed at the second session of the court, which met on November 6, 1828, Judge Morris appointing Andrew Ingram to this office. The first term of the Probate court of Carroll county was held at the house of Daniel Baum, May 11, 1829, by Judge John Carey. A Common Pleas court was provided for by the legislative act of May 14, 1852, and such courts were in operation in the state until abolished by the Legislature with the act of March 6, 1873. Carroll county was in the Common Pleas district including Tippecanoe, Benton and White counties. John W. Blake was the first Judge of the circuit.

ASSOCIATE JUDGES.

Isaac Griffith.....	May 8, 1828.
Christopher McCombs..	May 8, 1828.
George C. Sanderson....	August 22, 1834, to serve seven years from May 8, 1835.
Lewis Johnson.....	August 22, 1834, to serve seven years from May 8, 1835; resigned August 14, 1837.
John Irwin.....	October 2, 1837 (special election, to serve seven years from May 8, 1835, vice Lewis Johnson, resigned.
John Irwin.....	August 11, 1841, to serve seven years from May 8, 1842.
George C. Sanderson....	August 8, 1842, to serve seven years from May 8, 1842.
David Martin.....	August 17, 1848, to serve seven years from May 8, 1849.
George C. Sanderson....	August 17, 1848, to serve seven years from May 8, 1849.

PROBATE JUDGES.

Johu Carey.....	August 13, 1829.
John Grantham.....	September 30, 1836.
John Grantham.....	August 14, 1843.
Thomas Gillam.....	August 14, 1850.

COMMON PLEAS JUDGES.

John W. Blake.....	1852-56, resigned.
Robert P. Davison.....	Appointed August 20, 1856-October 28, 1856.
Jouathan C. Applegate..	1856-60.
Gustavus A. Wood.....	1860; resigned July 1, 1861.
David P. Vinton.....	Appointed July 1, 1861-67, resigned.
Alfred Reed.....	Appointed March 12, 1867-November 4, 1867.
Bernard F. Schermmerhorn	1867-69, resigned.
Alfred Reed.....	Appointed October 1, 1869-73.

DISTRICT PROSECUTING ATTORNEYS.

Robert P. Davison.....	1852-56, resigned.
Leander McClung.....	Appointed August 25, 1856-58.
John B. Kane.....	1858-60.
Lewis C. Pierce.....	1860-64.
William DeWitt Wallace	1864-67, resigned.
Levi M. Graham.....	Appointed March 25, 1867.
Alfred W. Reynolds....	1867-70.
Thomas L. Merrick.....	1870-72.
William E. Uhl.....	1872-73.

PRESIDENT JUDGES.

- Bethuel F. Morris-----May 1, 1828-January 20, 1830. Fifth circuit. The act of January 20, 1830, put Carroll in the First.
- John R. Porter-----January 20, 1830-January 7, 1833. The act of January 7, 1833, put Carroll in the Eighth.
- Gustavus A. Everts-----January 9, 1833-January 27, 1836. The act of January 27, 1838, put Carroll in the First.
- Isaac Naylor-----January 27, 1838-December 14, 1841. The act of December 14, 1841, put Carroll in the Eighth.
- John W. Wright-----December 14, 1841-January 9, 1847.
- Horace P. Biddle-----January 9, 1847; resigned April 20, 1852.
- Robert H. Milroy-----Appointed August 20, 1852-October 12, 1852.

CIRCUIT JUDGES.

- Thomas S. Stanfield-----October 12, 1852-January 21, 1853. Ninth circuit. The act of January 21, 1853, put Carroll in the Eleventh.
- John U. Pettit-----Appointed January 25, 1853; resigned August 28, 1854.
- John Brownlee-----Appointed September 6, 1854-October 25, 1854.
- John M. Wallace-----October 25, 1854-October 26, 1860.
- Horace P. Biddle-----October 26, 1860-November 3, 1872.
- Dudley H. Chase-----November 3, 1872-March 5, 1875. The act of March 6, 1873, put Carroll in the Twenty-ninth and transferred Chase from the Eleventh to the Twenty-ninth. The act of March 5, 1875, put Carroll in the Thirty-ninth.
- Bernard S. Dailey-----Appointed March 6, 1875-October 24, 1876.
- John H. Gould-----October 24, 1876-November 15, 1888. The act of March 15, 1877, made Carroll and White the only counties in the Thirty-ninth, where they have since remained.
- Alfred W. Reynolds-----November 15, 1888-November 19, 1894.
- Truman F. Palmer-----November 19, 1894-November 19, 1906.
- James P. Wason-----November 19, 1906-November 19, 1918.

PROSECUTING ATTORNEYS.

- James Whitcomb-----May 1, 1828-January 14, 1829. Fifth circuit.
- W. W. Wick-----January 14, 1829-January 20, 1830. The act of January 20, 1830, put Carroll in the First.
- Edward A. Hannegan-----January 25, 1830-January 25, 1832.
- Andrew Ingram-----January 25, 1832-January 7, 1833. The act of January 7, 1833, put Carroll in the Eighth.
- John B. Chapman-----January 10, 1833-August 11, 1834, resigned.
- Samuel C. Sample-----August 11, 1834-July 5, 1836, resigned.
- Joseph L. Jernegan-----Appointed July 5, 1836-December 10, 1836; transferred to Ninth.
- Thomas Johnson-----December 10, 1836-January 27, 1838. The act of January 27, 1838, put Carroll in the First.

- Joseph A. Wright.....January 27, 1838-December 5, 1839.
- Samuel C. Willson.....December 5, 1839-December 14, 1841. The act of
December 14, 1841, put Carroll in the Eighth.
- Spier S. Tipton.....December 15, 1841-December 15, 1843.
- William Z. Stuart.....December 15, 1843-December 15, 1845.
- David M. Dunn.....December 15, 1845-December 15, 1847.
- William Potter.....August 23, 1849; resigned June 25, 1851.
- George E. Gordon ----Appointed August 28, 1851; resigned September 15,
1852.
- John M. Wilson.....Appointed September 15, 1852-October 12, 1852.
- D. J. Woodward.....October 12, 1852-January 21, 1853. Ninth circuit.
The act of January 21, 1853, put Carroll in the
Eleventh.
- John M. Connell.....Appointed January 25, 1853-November 9, 1855.
- Isaiah M. Harlan.....November 9, 1855; resigned February 11, 1856.
- Orris Blake.....Appointed February 27, 1856-October 30, 1856.
- Charles H. Parrish.....October 30, 1856-December 1, 1858.
- Richard P. DeHart.....December 1, 1858; resigned October 29, 1860.
- Meredith H. Kidd.....Appointed November 1, 1860-February 17, 1862,
resigned.
- Thomas C. Whiteside...February 17, 1862-November 3, 1864.
- Dudley H. Chase.....November 3, 1864-November 3, 1870.
- Alexander Hess.....November 3, 1870-January 1, 1873.
- James M. Justice.....January 1, 1873-October 22, 1873. The act of
March 6, 1873, put Carroll in the Twenty-ninth
and transferred Justice from the Eleventh to the
Twenty-ninth.
- Thaddeus S. Rollins...October 22, 1873; resigned September 1, 1874.
- Charles R. Pollard.....Appointed September 3, 1874-March 5, 1875. The
act of March 5, 1875, put Carroll in the Thirty-
ninth.
- William E. Uhl.....Appointed June 1, 1875-October 24, 1876.
- John H. Wallace.....October 24, 1876-October 25, 1880.
- Frank P. Hench.....October 25, 1880-November 17, 1882.
- Robert Gregory.....November 17, 1882-November 17, 1884.
- Will C. Smith.....November 17, 1884-November 17, 1886.
- William S. Bushnell...November 17, 1886-November 17, 1888.
- Michael A. Ryan.....November 17, 1888-November 17, 1892.
- George Marvin.....November 17, 1892-November 17, 1894.
- T. B. Wilber.....November 17, 1894-November 17, 1896.
- John C. Odell.....November 17, 1896-November 17, 1898.
- George Marvin.....November 17, 1898-January 1, 1901.
- Edward E. Pruitt.....January 1, 1901-January 1, 1905.
- William O. Thomas...January 1, 1905-January 1, 1909.
- Wesley Taylor.....January 1, 1909-January 1, 1911.
- Clarence R. Cowger...January 1, 1911-January 1, 1913.
- Howard T. Brockway...January 1, 1913; term expires January 1, 1917.

CASS COUNTY.

Cass county was organized by an act of the General Assembly, December 18, 1828, the act becoming effective on April 13, 1829. The county seat was established at Logansport on August 10, 1829, by the locating commissioners. The Circuit court of Cass county first met and organized on May 21, 1829, in the seminary, a one-story building. It was the first public building erected in the county and stood at the northeast corner Fourth and Market streets in the city of Logansport. Judge Bethuel F. Morris, of Indianapolis, was the President Judge and his Associate Judges were Hiram Todd and John Smith. From the organization of the court in 1829 until February, 1838, court was held in the seminary building and from 1838 until November, 1840, the Presbyterian church was occupied as a court room. From 1841 until August, 1842, court was held in the old Methodist church, located between North and Broadway streets. The contract for building the first court house was let in 1839, but it was not completed until 1844, although the sessions of the court were held in it after 1842.

The first Judge of Cass county, Bethuel F. Morris, was a resident of Marion county. Judge John R. Porter, of Newport, who succeeded Morris in 1830, was possessed of a practical turn of mind, even though not very methodical. Judge Gustavus A. Everts (1833-36) was a man of great tact and fine address, and astute in the management of witnesses, as well as learned in the law. Judge Samuel C. Sample (1836) was a resident of South Bend, and died in that city in middle life. He had been reared in Connersville, Indiana, and came from a family of considerable prominence. He later served in Congress. Judge Charles W. Ewing was a man who was capable of grasping facts quickly and was deservedly popular. After retiring from the bench in 1839, he died by his own hand, January 9, 1843. Judge Henry Chase, of Logansport, who was appointed September 1, 1839, by Governor David Wallace, to fill the vacancy caused by the resignation of Judge Charles W. Ewing, had taught school in St. Clairville, Ohio, in 1825, and afterwards studied law. He practiced in Adams

county, Mississippi, in 1828, moved to Carroll county, Indiana, in 1830, settling at Logansport in 1834. He was a ready advocate, and as a judge was dignified and self-reliant. After leaving Logansport he located in New York city, but, in 1852, settled at Sheboygan, Wisconsin, where his death occurred in 1854, at the age of fifty-four years. He was the father of Judge Dudley H. Chase, who served from 1872 until 1884, and from 1896 until 1902.

Judge John W. Wright, after retiring from the bench, served as mayor of Logansport. Later he became interested in the construction of the first railroad into Logansport. He died in Washington, D. C.

Judge Horace P. Biddle, of Logansport, who served as Judge of the Cass court from 1847 until 1852, and from 1860 until 1872, was a delegate to the constitutional convention in 1850. In 1875 he was elevated to the Supreme bench of the state, and served six years. He was a versatile writer of both prose and poetry, and achieved almost international reputation as a scholar. He died in 1900.

Judge Robert H. Milroy, of Delphi, who had graduated from the military school at Norwich, Vermont, was the captain of a company in the Mexican War, and during the Civil War, became colonel of the celebrated "Bloody Ninth" regiment. He was appointed August 20, 1852, to fill the unexpired term of Biddle. When the new constitution went into operation on October 12, 1852, Thomas L. Stanfield became the first Judge of the Third Circuit to which Cass was assigned. The act of January 21, 1853, placed Cass in the Eleventh circuit and the Governor appointed John U. Pettit, of Wabash, who served from January 25, 1853, until August, 1854, when he resigned to take his place as a member of Congress from the Eleventh district. He was in Congress from 1857 to 1861 and became Speaker of the House, which position he filled with distinction. He was one of the most polished presiding officers who ever filled the speaker's chair. He studied law in the office of Senator D. D. Pratt, of Logansport, and was admitted to the Logansport bar, February, 1840. In 1842 he settled in Wabash, where he continued to reside until his death, March 21, 1881. He was professor of

law in the State University in 1850, and served his country with honor as consul at Maranham, Brazil.

John Brownlee, of Marion, was appointed September 6, 1854, to fill the vacancy caused by the resignation of Judge Pettit. He was a lawyer of fair ability and made a creditable Judge. He was a resident of Grant county.

John M. Wallace, a native of Franklin county, but then a resident of Marion, succeeded Judge Brownlee, and served from 1854 until 1860, when he was succeeded by Judge Biddle. Judge Wallace was a veteran of the Mexican War, and was the Colonel of the Twelfth Indiana Infantry in the Civil War. Later he became paymaster of the regular army.

Dudley H. Chase, of Logansport, who succeeded Judge Horace Biddle on the bench in 1872, was a son of Judge Henry Chase (1839-47). Altogether Judge Dudley H. Chase served on the Cass Circuit bench for eighteen years—from 1872 to 1884 and from 1896 until his death, on July 2, 1902.

In 1884 Judge Chase was succeeded by Maurice Winfield, of Logansport, who resigned in 1889 to resume the practice of law. After the resignation of Judge Winfield in 1889, Dyer B. McConnell, of Logansport, was appointed to fill out the unexpired term. Judge McConnell had previously been elected as Judge of the Cass Circuit court, and served until his resignation in 1895, when he was succeeded by Moses B. Lairy, a Democrat, who was appointed to fill out his unexpired term. Judge McConnell was a dignified officer and maintained a high standard of the court during his term of office.

Judge Moses B. Lairy, who was appointed to fill out the unexpired term of Judge McConnell, was appointed by Governor Claude Matthews, and served until November 3, 1896. Judge Lairy was elected in 1910 as a member of the Appellate court, and served until 1915, when he was elected Judge of the Supreme court on the Democratic ticket over Quincy A. Myers, Republican, and Lou W. Vail, Progressive. Dudley H. Chase served from 1896 until his death, July 2, 1902, George A. Gamble following him by appointment and serving until November 3, 1902. In 1900 John S. Lairy, of Logansport, was elected Judge of the Cass Circuit court, and assumed the office on November 3, 1902. In 1906 Judge Lairy was re-

elected, and again in 1912 for the third term over George W. Funk, the Republican candidate, and Charles H. Stuart, Progressive candidate. Judge John S. Lairy and Supreme Judge Moses B. Lairy are brothers, both natives of Cass county.

Cass county has been honorably and ably represented in the higher courts of the state and nation by Judges William Z. Stuart, Horace P. Biddle, George E. Ross, Quincy A. Myers, Moses B. Lairy and Kenesaw Mountain Landis. Judge Stuart, who was admitted to practice law at the Cass county bar in 1837, served as Prosecuting Attorney from 1844 until 1845, and from 1853 until 1856, he was Judge of the Supreme court of Indiana. Upon returning to private practice, he became attorney for the Wabash railroad, and died in Logansport, May 7, 1876. Judge Biddle was a member of the Supreme bench from 1875 until 1881. Judge George E. Ross served as a member of the Appellate court from 1893 until 1897. In 1908 Quincy A. Myers was elected as a Judge of the Supreme court on the Republican ticket and served until 1914, when he was defeated for re-election by Judge Moses B. Lairy.

Judge Kenesaw Mountain Landis, Judge of the United States District court at Chicago, Illinois, was educated in the public schools of Logansport, and graduated from the Union College of Law in 1891. He was Secretary to Walter Q. Gresham while the latter was Secretary of State, and was appointed Judge of the United States District court for the Northern District of Illinois on March 28, 1906. Judge Landis was admitted to the practice of law in Cass county, July 13, 1889.

The first lawyer admitted to practice in the Cass Circuit court at its organization on May 21, 1829, was Albert S. White, who resided at Lafayette. White afterwards became a member of Congress, a member of the United States Senate and Judge of the United States District court. Williamson Wright, who was a brother of Judge John W. Wright, became a member of the Cass county bar, August 10, 1835, and for many years he and John S. Patterson enjoyed a large portion of the legal business of the county. He died in 1896. Senator Daniel D. Pratt studied law in the office of Calvin Fletcher, of Indianapolis, located at Logansport in 1836, served one

term in the Legislature and represented Indiana in the United States Senate from 1869 until 1875. He died in Logansport, June 17, 1877.

John B. Dillon, who was admitted to the practice of law in Cass county, May 14, 1840, became a forcible and fluent writer, both of prose and poetry. He was editor of the *Logansport Canal-Telegraph* for several years in the forties, but his greatest work was his "History of Indiana." He died in Indianapolis in 1879. Senator David Turpie studied law in the office of Senator Daniel D. Pratt in 1849, and later moved to Monticello, but in 1868 returned to Logansport, where he continued the practice until 1872, when he moved to Indianapolis, where his death occurred, April 21, 1909. Senator Turpie was a profound lawyer, an able speaker, and a rare linguist, being master of seven languages. He was a judge on the bench, a member of the State Legislature, a United States Senator, and one of the ablest lawyers who ever practiced in the Cass county courts.

Probably the most energetic and forceful lawyer at the Cass county bar, to which he was admitted on February 5, 1855, came from the state of New York, and studied in the office of his uncle, D. D. Pratt. As a criminal and jury lawyer, David D. Dykeman had few superiors. He was not a close student, but was energetic and resourceful, and a natural leader of men. He served in the City Council, as Judge of the Court of Common Pleas, and in the state Senate. Judge Dykeman died on February 23, 1911.

T. C. Annabal who was admitted to the practice of law, May 8, 1860, became interested in newspaper work and other business. He moved to Goodland, Indiana, and died there subsequently, March 17, 1895. His son, Thomas W. Annabal, is now a well-known lawyer of Peru, Indiana.

Hon. Daniel P. Baldwin, who graduated from the University of Wisconsin in 1856, and from the Columbia Law School in 1860, became a successful lawyer after his admission to the bar, November 16, 1860, and for many years practiced law in partnership with Senator Pratt. He was appointed Judge of the Common Pleas court in 1870, and in 1888 was elected Attorney-General of Indiana, both of which

positions he filled with credit. Judge Baldwin died at his home in Logansport, November 13, 1908.

ASSOCIATE JUDGES.

John Smith.....	May 8, 1829, resigned.
Hiram Todd.....	May 8, 1829, resigned.
Jacob Bowman.....	November 4, 1833, to serve seven years from May 8, 1829.
Robert Edwards.....	November 4, 1833, to serve seven years from May 8, 1829.
H. Lasselle, Jr.....	May 28, 1834, vice Jacob Bowman (refused to serve), to serve seven years from May 8, 1829.
Robert Edwards.....	August 10, 1835.
George T. Bostwick....	August 10, 1835.
Job B. Eldridge.....	August 17, 1840.
Henry Brown.....	August 17, 1840.
Hewit L. Thomas.....	August 8, 1842, to serve seven years from May 8, 1843.
Jesse Julian.....	August 8, 1842, to serve seven years from May 8, 1843.
James Horney.....	August 18, 1847, to serve seven years from August 8, 1843.
James Horney.....	August 21, 1849, to serve seven years from May 8, 1850.
Hewit L. Thomas.....	August 21, 1849, to serve seven years from May 8, 1850.

PROBATE JUDGES.

John Scott.....	August 27, 1829.
Chauncey Carter.....	September 18, 1832; resigned March 24, 1834.
James McClurg.....	May 10, 1834, vice Chauncey Carter (resigned), to serve until the first Monday in August, 1834.
James McClurg.....	August 20, 1834.
Henry Larue.....	April 3, 1836, appointed to serve until the first Monday in August, 1836.
Robert B. Stevenson....	August 30, 1836, to serve four years from date.
Thomas J. Wilson.....	January 21, 1837, appointed vice Robert B. Stevenson (refused to qualify).
Thomas J. Wilson.....	August 14, 1837.
John S. Patterson.....	August 14, 1844.
Robert F. Groves.....	August 25, 1847, vice John S. Patterson, resigned.
John F. Dodds.....	August 29, 1848, to serve seven years; resigned June 29, 1850.
James M. Lasselle.....	August 14, 1850, to serve seven years from date; died February 3, 1851.
Alvin M. Higgins.....	February 28, 1851, appointed vice James Lasselle, deceased.
Henry M. Edison.....	August 15, 1851, to serve seven years from date.

CIRCUIT JUDGES.

- Thomas L. Stanfield...October 12, 1852-January 21, 1853, Ninth circuit.
The act of January 21, 1853, put Cass in the Eleventh.
- John U. Pettit.....Appointed January 25, 1853; resigned August 28, 1854.
- John Brownlee.....Appointed September 6, 1854-October 25, 1854.
- John M. Wallace.....October 25, 1854-October 26, 1860.
- Horace P. Biddle.....October 26, 1860-November 3, 1872.
- Dudley H. Chase.....November 3, 1872-November 3, 1884. The act of March 6, 1873, put Cass in the newly created Twenty-ninth. The act of April 4, 1881, made Cass the sole county in the Twenty-ninth, where it has since remained.
- Maurice Winfield.....November 3, 1884; resigned November 5, 1889.
- Dyer B. McConnell.....Appointed November 5, 1889; resigned April 1, 1895.
- Moses B. Lairy.....Appointed April 1, 1895-November 3, 1896.
- Dudley H. Chase.....November 3, 1896; died in office July 2, 1902.
- George A. Gamble.....Appointed July 8, 1902-November 3, 1902.
- John S. Lairy.....November 3, 1902; term expires November 3, 1920.

PROSECUTING ATTORNEYS.

- W. W. Wick.....April 13, 1829-January 20, 1830. The act of January 20, 1830, took Cass out of the Fifth and put it in the First.
- Edward A. Hannegan...January 25, 1830-January 25, 1832.
- Andrew Ingram.....January 25, 1832-January 7, 1833. The act of January 7, 1833, put Cass in the Eighth.
- John B. Chapman.....January 10, 1833-August 11, 1834, resigned.
- Samuel C. Sample.....Appointed August 11, 1834-July 5, 1836, resigned.
- Joseph L. Jernegan...Appointed July 5, 1836, to fill unexpired term of Samuel C. Sample, resigned. Transferred to Ninth, December 10, 1836.
- Thomas Johnson.....December 10, 1836-December 3, 1838.
- John W. Wright.....December 3, 1838-December 5, 1839.
- Lucian P. Ferry.....December 5, 1839-December 15, 1841.
- Spier S. Tipton.....December 15, 1841-December 15, 1843.
- William Z. Stuart.....December 15, 1843-December 15, 1845.
- David M. Dunn.....December 15, 1845-December 15, 1847.
- William Potter.....August 23, 1849-August 28, 1851.
- George E. Gordon.....August 28, 1851; resigned September 15, 1852.
- John M. Wilson.....Appointed September 15, 1852-October 12, 1852.
- D. J. Woodward.....October 12, 1852-January 21, 1853. Ninth circuit.
The act of January 21, 1853, put Cass in the Eleventh.
- John M. Connell.....Appointed January 25, 1853-November 9, 1855.

- Isiah M. Harlan.....November 9, 1855-February 11, 1856.
 Orris Blake.....Appointed February 27, 1856-October 30, 1856.
 Charles H. Parrish....October 30, 1856-December 1, 1858.
 Richard P. DeHart....December 1, 1858; resigned October 29, 1860.
 Meredith H. Kidd.....October 1, 1860-February 17, 1862; resigned.
 Thomas C. Whiteside..February 17, 1862-November 3, 1864.
 Dudley H. Chase.....November 3, 1864-November 3, 1870.
 Alexander Hess.....November 3, 1870-January 1, 1873.
 James M. Justice.....Appointed January 1, 1873-October 22, 1873. The
 act of March 6, 1873, put Cass in the Twenty-ninth
 and transferred Justice from the Eleventh to the
 Twenty-ninth.
 Thaddeus R. Rollins...October 22, 1873; resigned September 1, 1874.
 Charles R. Pollard....Appointed September 3, 1874-October 24, 1876.
 Dyer B. McConnell....October 24, 1876-October 24, 1878.
 Simon P. Weyand.....October 24, 1878-October 25, 1880.
 Elmore S. Daniels....October 25, 1880-November 17, 1884.
 Michael D. Fansler....November 17, 1884-November 17, 1888.
 James W. McGreevy...November 17, 1888-November 17, 1892.
 Frank M. Kistler.....November 17, 1892-November 17, 1894.
 C. E. Hale.....November 17, 1894-November 17, 1896.
 George S. Kistler....November 17, 1896-January 1, 1901.
 William C. Fitzer....January 1, 1901-January 1, 1903.
 George Walters.....January 1, 1903-January 1, 1907.
 George A. Custer....January 1, 1907-January 1, 1911.
 Michael L. Fansler...January 1, 1911-January 1, 1915.
 Walter W. Foskett....January 1, 1915; term expires January 1, 1917.

SUPERIOR COURT.

Cass county Superior court was established March 3, 1877, and abolished April 2, 1881. John C. Nelson was Judge of this court during its whole existence.

CLARK COUNTY.

Clark county, which was the first county to be created out of the territory included within the original limits of Knox county, the latter of which was organized on June 20, 1790, by proclamation of Winthrop Sargent, Secretary of the Northwest Territory, embraced at its creation, February 3, 1801, about one-fifth of the present area of the state of Indiana. It included, in whole or part, Harrison, Floyd, Clark, Washington, Jackson, Scott, Jefferson, Jennings, Ripley, Decatur, Franklin, Bartholomew, Shelby, Rush, Fayette, Union,

Henry, Randolph, Wayne and possibly part of Jay and Switzerland counties. The town of Springville was selected, April 7, 1801, as the first seat of justice. The county seat was removed to Jeffersonville, June 9, 1802, where it remained until December 10, when the Legislature placed it at Charlestown. It remained at the latter place until September 23, 1873, when it was permanently located at Jeffersonville.

On April 7, 1801, the first court in Clark county was held at Springville. It was called the court of General Quarter Sessions of the Peace and was created by Governor William Henry Harrison. It was composed of Justices Marston Green Clark, Abraham Huff, James Noble Wood, Thomas Downs, William Goodwin, John Gibson, Charles Tuley and William Harwood. The courts were held at Springville until July 6, 1802, after which they were held at Jeffersonville until March 3, 1811, when the court was first held at Charlestown. These local county courts continued to exist for thirteen years. During this period Evan Shelby, Rezin Redman and John Miller appeared as Judges. None of the Judges pretended to be lawyers, but were plain, honest and intelligent men, acting under the appointment of the Governor.

In 1814 the judicial system of the territory underwent a change and it was divided into three circuits, with a Presiding Judge for each circuit and two Associate Judges in each county, all of whom were appointed by the Governor. In November, 1814, Jesse L. Holman appeared in Charlestown and took his seat as Presiding Judge under commission from the Territorial Governor, Posey. William Goodwin and John Miller produced their commissions as Associate Judges.

The first term of Clark Circuit court, under the Constitution, was held in March, 1817, with David Raymond as Presiding Judge and William Goodwin and John Beggs as Associate Judges. In October, 1817, Davis Floyd took his seat as Judge of the Second Circuit under a commission to hold the office for seven years from October 13, 1817. William Goodwin and John Beggs continued as Associate Judges and John F. Ross was Prosecuting Attorney. Floyd was a prominent man in the early history of Indiana territory and the

early history of the state under the new Constitution. He represented Harrison county in the first session of the state Legislature, which convened November 4, 1816, and it was upon his motion that the great seal of the new state, showing a woodsman felling a tree, a fleeing buffalo and a setting sun, was adopted.

Judge Floyd was succeeded in December, 1823, by John F. Ross who served until his death in December, 1834. John H. Thompson became Judge of the Second circuit following the death of Judge Ross. Judge Thompson was subsequently elected and served until December 20, 1844. At the time he was appointed Judge he resided at Charlestown, but he afterward moved to Salem. He served as Lieutenant-Governor of Indiana from 1826 to 1828. The Legislature, which convened in December, 1844, elected William T. Otto, a young lawyer of Brownstown, to succeed Judge Thompson, who was a little later elected Secretary of State by the Legislature.

Judge William T. Otto first presided as Judge of the Clark Circuit court at the May term, 1845. Judge Otto was the last Judge of the Second circuit elected by the Legislature. His term expired when the Constitution of 1851 went into force. He was succeeded by Judge Bicknell, who was elected by the people. He became Assistant Secretary of the Interior under President Lincoln's administration and, subsequently, official reporter of the decisions of the Supreme court of the United States. Judge Otto died in Philadelphia in November, 1905, at the age of eighty-nine.

The Clark county bar during Judge Otto's term was a strong one. The resident attorneys were Judge Charles Dewey, Capt. T. W. Gibson, Amos Lovering, Charles E. Walker, John D. Ferguson, J. G. Howard, Charles Moore, John F. Read, William H. Hurst, Henry Foster Smith, C. T. Solas, W. W. Gilliland and perhaps others. Among the strong lawyers at the Clark county bar was Judge Charles Dewey, who served ten years as Judge of the Supreme court of Indiana.

The Judicial district of Indiana, of which the Clark Circuit court was for many years a part, was composed of Floyd, Clark, Harrison, Crawford, Orange, Washington, Jackson and

Scott counties, until March 6, 1873, when the counties of Clark and Floyd were formed into the Fourth judicial circuit. Judge Bicknell was succeeded in 1876 by John S. Davis, who presided over the court until his death on July 6, 1880. Simeon K. Wolfe was appointed to fill out the unexpired term caused by the death of Judge Davis. He was succeeded by Charles P. Ferguson, who served on the bench from 1880 to 1892. Judge Ferguson succeeded by Judge George H. D. Gibson, who served from 1892 to 1898. Judge Gibson was succeeded by James K. Marsh, who served one term of six years and was then succeeded by Harry C. Montgomery, who died in office in January, 1914. James W. Fortune was appointed January 23, 1914, and by election will serve until November 15, 1920.

Judge William T. Otto, of the Clark Circuit court, after retiring from the bench, became one of the most celebrated lawyers of the state. He settled at New Albany in 1853 and in 1855 was employed by the Liquor League of Indiana to test the constitutionality of the Maine liquor law, which had recently been enacted by the Indiana Legislature. Judge Otto succeeded in having the law declared invalid.

Judge George A. Bicknell, who succeeded Judge Otto on the bench of the Clark Circuit court, was a native of Philadelphia, who settled in Scott county about 1848. He served as Prosecuting Attorney of the Second judicial district, and after retiring from the bench in 1876, represented the Third Indiana district in Congress during the forty-fifth and forty-sixth sessions, from 1877 to 1881. From 1881 to 1885 he was one of the members of the Supreme Court Commission. At the time of his death, April 15, 1891, he was the Judge of the Floyd Circuit court.

Judge John S. Davis was first identified with the Whig party, and later became a Republican. As the Republican nominee for Congress in 1860, Judge Davis, came within three hundred votes of being elected in a district which normally gave a Democratic plurality of three thousand. During the War, he joined the Democratic party and, although he was a candidate for the Democratic nomination for Congress in 1870, 1872, 1874 and 1876, was defeated each time. He served

in the state Legislature during the session of 1875 and is given credit for having obtained the one vote necessary to elect Joseph E. McDonald to the United States Senate over Benjamin Harrison.

Although Simeon W. Wolfe served only a few months (July-November, 1890) as Judge of the Clark Circuit court, he was a prominent citizen of southern Indiana. After graduating from the law department of the State University, he settled at Corydon. In 1860 he was a delegate to the Democratic national convention at Charleston, South Carolina. He was a member of the state Senate from Harrison county during the sessions of 1862 and 1864. In 1872 he was elected to Congress from the Second Indiana district.

Judge Charles P. Ferguson presided over both the Common Pleas court and the Clark Circuit court. Patrick H. Jewett served as Judge of the Court of Common Pleas (1868-72) for the district comprising Clark, Floyd, Washington and Scott counties. Amos Lovering, the first Judge of the Clark Court of Common Pleas (1852-64) was a native of Massachusetts. He settled at Jeffersonville in 1840 and died in Louisville about 1877. Melville C. Hester was a graduate of old Asbury (now DePauw) University at Greencastle. Cyrus L. Dunham, a native of New York state, located at Salem, in Washington county, in 1841. In 1845 he was elected Prosecuting Attorney for this circuit. In 1846, and again in 1848, he was elected to the Legislature from Washington county. Dunham served three terms in Congress, from 1849 to 1855. In 1859 he was appointed Secretary of State by Governor Willard to fill out the unexpired term of Daniel McClure. He became the colonel of the Fiftieth Indiana Infantry at the breaking out of the Civil War, and served for about one year. In 1871 he was elected Judge of the Floyd and Clark Criminal Court circuit, after which he moved to Jeffersonville, where he lived until his death, on November 21, 1877.

Capt. Thomas W. Gibson was a great criminal lawyer and participated in all of the criminal trials during the period of his active practice in southern Indiana. John F. Read was a graduate of Hanover College and had read law with Major

Henry Hurst in Jeffersonville. He served in the Indiana State Legislature during the session of 1853 and was afterwards appointed receiver of the land office at Jeffersonville. For a number of years he was in partnership with Jonas G. Howard, one of the ablest attorneys of the Clark county bar. Read led the fight in behalf of the removal of the county seat from Charlestown to Jeffersonville. He took a leading part in the industrial life of the city and Jeffersonville is indebted to him for the government building, for the county seat, for the car works, for the levee and for the Big Four bridge. Jonas G. Howard, another eminent lawyer at the Clark county bar, represented the Third Indiana district in Congress from 1885 to 1889, serving during the forty-ninth and fiftieth sessions. Ward H. Watson, who formerly lived at Charlestown, was elected a Judge of the Appellate Court of Indiana in 1906 and served until 1911. Frank B. Burke was a native of Jeffersonville, who was admitted to the practice of law in 1878. He represented Clark county in the state Senate from 1886 to 1890. In 1893 he was appointed by President Cleveland as United States District Attorney for the District of Indiana. In 1880 he was elected Prosecuting Attorney of the circuit comprising Clark and Floyd counties, and served three terms. He was a Democratic candidate for the Democratic nomination for Governor in 1900, but was defeated by John W. Kern. The same year he was nominated by the Democrats of the Indianapolis district for Congress, but was defeated by his Republican opponent.

TERRITORIAL JUDICIARY.

- February 4, 1801-----Judges of the Court of Common Pleas and Justices of the Court of General Quarter Sessions: Marston Green Clark, Abraham Huff, James Noble Woods, Thomas Downs and William Goodwin.
- February 4, 1801-----Justices of the Court of General Quarter Sessions: John Gibson, Charles Teeley and William Harwood.
- February 4, 1801-----Judge of Probate: Jesse Rowland.
- March 24, 1802-----Oyer and Terminer: William Clarke.
- March 24, 1802-----Oyer and Terminer: Marston C. Clark and Abraham Huff, associates of William Clarke.
- May 5, 1802-----Judge of Probate: David Espy, vice Jesse Rowland, resigned.

- September 30, 1803.....Justice of the General Quarter Sessions: Nicholas Harrison.
- November 21, 1803.....Justice of the General Quarter Sessions: George Newland.
- September 22, 1804.....Justice of the General Quarter Sessions: Job Guest.
- December 21, 1805.....Judges of the Common Pleas: Evans Shelby, Thomas Downs and William Goodwin.
- January 25, 1806.....Justice of the Peace: James Lemon.
- July 19, 1806.....Justice of the Peace: Patrick Shields.
- July 22, 1806.....Justice of the Peace: Aquilla Rogers.
- December 1, 1806.....Justice of the Peace: John Douchett.
- April 18, 1807.....Justice of the Peace: Robert McIntire.
- June 30, 1807.....Justice of the Peace: John Smith.
- July 10, 1807.....Justice of the Peace: Dennis Pennington.
- August 22, 1807.....Justice of the Peace: John Rychart.
- September 9, 1807.....Justice of the Peace: Charles Johnson.
- November 3, 1807.....Justice of the Peace: James Smock.
- May 18, 1808.....Justice of the Peace: William Vawter.
- June 29, 1808.....Justice of the Peace: John Beggs.
- July 6, 1808.....Justice of the Peace: Jacob Zenor.
- July 16, 1808.....Justice of the Peace: John Vawter, vice William Vawter, resigned.
- October 27, 1808.....Justice of the Peace: Absalom Little.
- May 10, 1809.....Justice of the Peace: John Hay.
- February 14, 1810.....Justice of the Peace: Edmund H. Taylor.
- May 23, 1810.....Justice of the Peace: Andrew Gilveck.
- July 11, 1810.....Justice of the Peace: Samuel McKinley.
- November 14, 1810.....Justice of the Peace: John Thomas Chunn.
- December 6, 1810.....Justice of the Peace: James McConnell.
- December 14, 1810.....Prosecuting Attorney: James Scott.
- December 18, 1810.....Justice of the Peace: James M. Campbell.
- March 4, 1811.....Justice of the Peace: Jesse Henley.
- April 17, 1811.....Justice of the Peace: John H. Thompson.
- April 29, 1811.....Judge of the Court of Common Pleas: Daniel Graham, vice Thomas Downs, resigned.
- May 21, 1811.....Justice of the Peace: James Ferguson.
- May 29, 1811.....Justice of the Peace: John Parvin.
- May 23, 1810.....Judge of the Court of Common Pleas: Rezon Redman, vice William Goodwin, resigned.
- August 20, 1811.....Justice of the Peace: Solomon Fuller.
- December 16, 1811.....Justice of the Peace: Abraham Kimberlain.
- January 1, 1812.....Justice of the Peace: John Weathers.
- February 26, 1812.....Justice of the Peace: Samuel Gwathmey.
- March 16, 1812.....Justice of the Peace: Samuel Bowen.
- November 4, 1812.....Judge of the Court of Common Pleas: Judge Miller.

- December 22, 1812-----Justice of the Peace: Willis W. Goodwin.
 January 22, 1813-----Justice of the Peace: John Prather.
 February 11, 1813-----Justice of the Peace: David Foutz.
 February 18, 1813-----Justice of the Peace: David Fanisin.
 January 7, 1814-----Judges of the Circuit Court: Evans Shelby, first
 judge; Rezon Redman, second judge; John Miller,
 third judge.
 April 22, 1814-----Justice of the Peace: James McCay.
 September 17, 1814-----Associate Judges of the Circuit Court: John Mil-
 ler, first associate; William Goodwin, second as-
 sociate.
 October 7, 1814-----Justice of the Peace: John T. Littell.
 November 4, 1814-----Justice of the Peace: John Hilton.
 January 13, 1815-----Justice of the Peace: Nathaniel Scribner.
 January 26, 1815-----Justice of the Peace: George Ross.
 February 25, 1815-----Justices of the Peace: John Dietz and Joseph
 Jacobs.
 March 18, 1815-----Justice of the Peace: Henry Aborne.
 March 6, 1816-----Justice of the Peace: Absalom Little.
 March 28, 1816-----Justice of the Peace: Bennet Nugent.
 April 18, 1816-----Justice of the Peace: Spencer Hagglin.
 May 18, 1816-----Justice of the Peace: James A. Pruitt.
 May 18, 1816-----Associate Judge of the Circuit Court: Robert A.
 New.
 May 25, 1816-----Justice of the Peace: William A. Lilly.
 August 7, 1816-----Justice of the Peace: Amos Goodwin.
 September 28, 1816-----Justice of the Peace: Jacob S. Holt.
 October 15, 1816-----Justice of the Peace: Samuel Merriwether.

ASSOCIATE JUDGES.

- William Goodwin-----February 24, 1817.
 John Beggs-----February 24, 1817.
 Benjamin Ferguson-----February 3, 1824; resigned August 15, 1829.
 Willis W. Goodwin-----February 3, 1824.
 John Carr-----February 15, 1830 (special election), to serve seven
 years from February 3, 1824, vice Benjamin Fer-
 guson, resigned.
 John Carr-----January 3, 1831, to serve seven years from Febru-
 ary 24, 1831.
 Beverly W. James-----January 3, 1831, to serve seven years from Febru-
 ary 24, 1831; resigned July, 1832.
 Samuel Prather-----September 8, 1832, vice Beverly W. James, re-
 signed.
 Joseph Work-----December 9, 1837 (special election), to serve seven
 years from February 24, 1838; resigned May, 1842.
 Lemuel Ford-----December 9, 1837 (special election), to serve seven
 years from February 24, 1838; resigned December
 1841.

- Beverly W. James.....February 16, 1842 (special election), to serve seven years from February 24, 1838, vice Lemuel Ford, resigned.
- Hezekiah Robertson.....August 20, 1842, to serve seven years from February 24, 1838, vice Joseph Work, resigned.
- Hezekiah Robertson.....August 27, 1844, to serve seven years from February 24, 1845.
- Beverly W. James.....August 27, 1844, to serve seven years from February 24, 1845.
- William Dunar.....August 22, 1851, to serve seven years from February 24, 1852.
- Andrew I. Huckleberry.....August 22, 1851, to serve seven years from February 24, 1852.

PROBATE JUDGES.

- Lemuel Ford.....August 21, 1829.
- Willis W. Goodwin.....August 21, 1832.
- Willis W. Goodwin.....August 19, 1839.
- Lemuel Ford.....August 15, 1846, to serve seven years from August 19, 1846.
- Willis W. Goodwin.....June 1, 1847, appointed, vice Lemuel Ford, resigned.
- Willis W. Goodwin.....August 17, 1847, to serve seven years from date.

COMMON PLEAS JUDGES.

- Amos Lovering.....1852: resigned March 24, 1864.
- William W. Gilleland.....Appointed April 28, 1864-November 4, 1864.
- Nathan P. Willard.....1864-68.
- Patrick H. Jewett.....1868-72.
- Charles P. Ferguson.....1872-73.

DISTRICT PROSECUTING ATTORNEYS.

- Patrick H. Jewett.....1852-54, resigned.
- William Trulock.....Appointed November 9, 1854-56.
- Benjamin F. Walter.....1856-60.
- John Batt.....1860-62.
- James A. Ghornitz.....1862-66.
- Isaac N. Caress.....1866-67.
- Thomas J. Jackson.....Appointed March 18, 1867-68.
- John McCarty.....1868-70.
- John McCarty.....1870-72.
- Charles L. Jewett1872-73.

PRESIDENT JUDGES.

- David Raymond.....December 21, 1816-October 13, 1817, resigned. Second circuit.
- Davis FloydAppointed October 13, 1817-December 18, 1823.
- John F. Ross.....December 18, 1823; died in office in 1834.
- John H. Thompson.....Appointed December 26, 1834-December 30, 1844.
- William T. Otto.....December 20, 1844-October 12, 1852.

CIRCUIT JUDGES.

- George A. Bicknell..... October 12, 1852-October 25, 1876. The act of March 6, 1873, took Clark out of the Second and put it in the Fourth and Bicknell was transferred from the Second to the Fourth.
- John S. Davis..... October 25, 1876; died in office July 6, 1880.
- Simeon W. Wolfe..... Appointed July 20, 1880-November 10, 1880.
- Charles P. Ferguson..... November 10, 1880-November 15, 1892.
- George H. D. Gibson... November 15, 1892-November 15, 1898.
- James K. Marsh..... November 15, 1898-November 15, 1904.
- Harry C. Montgomery... November 15, 1904; died in office January, 1914.
- James W. Fortune..... Appointed January 23, 1914; term expires November 15, 1920.

PROSECUTING ATTORNEYS.

- John Kingsbury..... August 9, 1824-August 14, 1826. Second circuit.
- Milton Stapp..... August 14, 1826-December 30, 1826.
- John Kingsbury..... December 30, 1826-December 30, 1828.
- John H. Thompson..... December 30, 1828-December 30, 1832.
- Isaac V. Howk December 30, 1832-June 5, 1833, died.
- Charles Dewey..... Appointed June 5, 1833-June 4, 1836; transferred to Supreme court.
- John W. Payne..... June 4, 1836-December 12, 1840.
- Theodore I. Barnett... December 12, 1840-July 13, 1842, resigned.
- William A. Porter..... July 13, 1842-December 14, 1844.
- Cyrus A. Dnnham..... December 14, 1844-December 14, 1846.
- George A. Bicknell..... August 15, 1851-October 12, 1852.
- Samuel W. Short..... October 12, 1852; resigned February 11, 1854.
- Patrick H. Jewett..... Appointed March 8, 1854-November 19, 1856.
- Thomas M. Browne.... November 19, 1856-November 7, 1858.
- Robert M. Weir..... November 7, 1858-November 7, 1860.
- Ambrose B. Carlton... November 7, 1860-November 7, 1862.
- Thomas M. Browne.... November 7, 1862-November 7, 1864.
- Robert M. Weir..... November 7, 1864-November 24, 1870.
- Robert J. Shaw..... November 24, 1870-March 6, 1873. The act of March 6, 1873, put Clark in the Fourth.
- Elias R. Montford.... March 6, 1873-October 26, 1874.
- James K. Marsh..... October 26, 1874-October 26, 1876.
- Mathew Clegg..... October 26, 1876-October 26, 1878.
- Thomas L. Smith..... October 26, 1878-October 26, 1880.
- Frank B. Burke..... October 26, 1880-November 17, 1886.
- George H. Voigt..... November 17, 1886-November 17, 1890.
- George E. Coll..... November 17, 1890-November 17, 1892.
- Edgar A. Howard..... November 17, 1892-November 17, 1896.
- Harry C. Montgomery... November 17, 1896-January 1, 1901.
- Frank M. Mayfield.... January 1, 1901-January 1, 1905.

Charles K. Zollman---- January 1, 1905-January 1, 1909.
George C. Kopp----- January 1, 1909-January 1, 1913.
Warren B. Allison----- January 1, 1913-January 1, 1917.

FLOYD-CLARK CRIMINAL COURT.

A Criminal court for the counties of Floyd and Clark was created as the Twenty-seventh circuit by the legislative enactment of April 23, 1869, and abolished on February 8, 1877. During the period of its existence it was served by the following Judges: John H. Butler, the first Judge of the newly organized circuit, was appointed on April 28, 1869, by Governor Baker; Judge Butler was succeeded by Melville C. Hester, who served from April 29, 1870, to October 26, 1870, at which time Cyrus L. Dunham ascended the bench for a four-year term ending October 26, 1874. Thomas L. Smith, Jr., followed Judge Dunham and continued in office until the court was abolished on February 8, 1877.

CLAY COUNTY.

Clay county was the only one organized in 1825, beginning its formal career on April 1 of that year. Few counties in the state have had more exciting times in getting their county seat located than Clay county, and, although it has only had two county seats, it has had half a dozen other towns laid out with the intention of making them the county seat. When the county was organized, Bowling Green was selected by the locating commissioners as the seat of justice and here it remained for half a century. During this fifty years several other towns made ineffectual efforts to secure the county seat, but it was not until Brazil came to the front in the early part of the seventies that Bowling Green lost the county seat. As early as 1838, two towns were aspiring for county seat honors, Aquilla and Jonesboro. Bellaire (in 1852) and Ashboro (in 1858) were two other towns which had visions of the court house standing in their public squares. Two efforts by legislative acts were made to secure a relocation of the county seat before the seventies. The act of February 13, 1843, provided for an election on the first Monday of August, 1843, to vote on the question of relocation and, although the

vote has not been obtained, it is known that Bowling Green did not lose the county seat. On November 30, 1851, the court house with all the county records were burned and a fight was at once launched to choose a new county seat, Bel-laire being the chief contender. On February 23, 1853, the advocates of relocation got an act through the Legislature providing for relocating commissioners to choose a new seat of justice, but for a second time Bowling Green came out ahead and at once put up a "fine, substantial court house," which cost the county ten thousand dollars. Nearly twenty years were to elapse before another effort was made to move the county seat. In 1871 the advocates of relocation circulated petitions asking that the seat of justice be located at Brazil. Sufficient signers were secured to bring about the removal and in 1872 the county seat was ordered removed to its present location. It was several years before suitable buildings were erected and it was not until January 26, 1877, that the records were transferred from the old court house at Bowling Green to the new one at Brazil.

ASSOCIATE JUDGES.

William Maxwell.....	June 6, 1825.
Daniel Walker.....	June 6, 1825.
Philip Hedges.....	September 8, 1826.
David Christy.....	August 27, 1827; resigned December 30.
Samuel Risley.....	August 27, 1827.
Daniel Wools.....	March 4, 1831 (special election), to fill vacancy of David Christy (resigned), to serve seven years from January 6, 1825.
Samuel Risley.....	September 22, 1831, to serve seven years from June 10, 1832; resigned.
Daniel Wools.....	September 22, 1831, to serve seven years from June 10, 1832; resigned.
Nicholas G. Cromwell..	August 29, 1833, vice Samuel Risley (resigned), to serve seven years from June 6, 1832.
Nicholas G. Cromwell..	August 19, 1839.
William Yocom.....	August 19, 1839; died May, 1841.
John T. Alexander.....	August 16, 1841, to serve seven years from June 6, 1839, vice William Yocom, deceased.
Fergus Snoddy.....	August 21, 1845, to serve seven years from June 6, 1846.
Owen Tharpe	August 21, 1845, to serve seven years from June 6, 1846.

PROBATE JUDGES.

- Daniel Chase.....September 22, 1831, resigned.
 Jesse S. Burton.....April 23, 1832, appointed.
 Jesse S. Burton.....August 24, 1832, resigned.
 Robert W. Crooke.....August 29, 1833, to serve seven years from date,
 vice Jesse S. Burton, resigned.
 Jared Payton.....December 12, 1834, appointed vice Robert W.
 Crooke (resigned), to serve until the first Mon-
 day in August, 1835.
 Jared Payton.....August 14, 1835; resigned May, 1838.
 Samuel Miles.....May 28, 1838, appointed, vice Jared Payton, re-
 signed.
 William D. Farley.....March 16, 1842, appointed, vice Samuel Miles (re-
 signed), to serve until the first Monday in August,
 1842.
 Daniel Harris.....August 16, 1842, to serve seven years from date.
 Jesse McIntire.....August 20, 1849, to serve seven years from date;
 died prior to November 7, 1850.
 John Lewis.....November 11, 1850, appointed, vice Jesse McIntire,
 deceased.
 Athel Staggs.....August 18, 1851, to serve seven years from date.

COMMON PLEAS JUDGES.

- William M. Franklin...1852-56.
 Frederick T. Brown...1856-64.
 William M. Franklin...1864-68.
 Harry Burns.....1868-73.

DISTRICT PROSECUTING ATTORNEYS.

- Fred T. Brown.....1852-54.
 Oliver H. P. Ash.....1854-56.
 Michael Malott.....1856-58.
 George W. Throop.....1858-60.
 Harry Burns.....1860-62.
 Samuel W. Curtis.....1862-64.
 Patrick Harvey.....1864-66.
 John C. Robinson.....1866-68.
 Courtland C. Matson...1868-72.
 Samuel M. McGregor...1872-73.

PRESIDENT JUDGES.

- John R. Porter.....April 1, 1825-January 20, 1830. The act of Janu-
 ary 20, 1830, took Clay out of the First and put it
 in the Seventh.
 John Law.....Appointed January 25, 1830-August 10, 1831, re-
 signed.
 General W. Johnston...Appointed August 10, 1831-January 21, 1832.
 Amory Kinney.....January 21, 1832-January 25, 1837.

Elisha M. Huntington... January 25, 1837; resigned July 12, 1841.
 William P. Bryant.....Appointed July 12, 1841-January 25, 1844.
 John Law.....January 25, 1844; resigned August 31, 1850.
 Samuel B. Gookins.....Appointed August 31, 1850-January 30, 1851.
 Delana R. Eckles.....January 30, 1851-October 12, 1852.

CIRCUIT JUDGES.

James Hughes.....October 12, 1852; resigned June 20, 1856. to take effect July 2, 1856. Sixth circuit.
 Ambrose B. Carlton....Appointed July 2, 1856-October 30, 1856.
 James M. Hanna.....October 30, 1856; resigned December 18, 1857.
 Solomon Claypool.....Appointed December 21, 1857-November 6, 1864.
 Delana R. Eckles.....November 6, 1864-November 6, 1870.
 William M. Franklin....November 6, 1870-March 6, 1873. The act of March 6, 1873, put Clay in the Thirteenth.
 Solon Turman.....Appointed March 12, 1873; resigned March 25, 1881.
 Silas D. Coffey.....Appointed March 25, 1881-November 16, 1888.
 Samuel M. McGregor...November 16, 1888-November 16, 1900.
 Pressly O. Colliver....November 16, 1900-November 16, 1906.
 John M. Rawley.....November 16, 1906; term expires November 16, 1918. The act of February 27, 1911, made Clay the sole county in the Thirteenth, where it has since remained.

PROSECUTING ATTORNEYS.

John Law.....April 1, 1825-January 20, 1830. The act of January 20, 1830, took Clay out of the First and put it in the Seventh.
 E. M. Huntington.....January 25, 1830-January 25, 1832.
 John H. Dowden.....January 25, 1832-April 9, 1833, died.
 Erasmus H. McJunkin..Appointed April 9, 1833-August 14, 1834, died.
 John Cowgill.....Appointed August 14, 1834-December 4, 1834.
 David McDonald.....December 4, 1834-August 17, 1837, resigned.
 John Cowgill.....Appointed August 17, 1837-February 13, 1838.
 Delana R. Eckles.....February 13, 1838; resigned February 15, 1841.
 Edward W. McGaughey..Appointed February 15, 1841-August 10, 1842. resigned.
 George F. Waterman...August 10, 1842-December 15, 1842.
 John P. Usher.....December 15, 1842-December 15, 1844.
 James M. Hanna.....December 15, 1844-December 15, 1846.
 James C. Allen.....December 5, 1846-December 15, 1848.
 Harvey D. Scott.....August 19, 1851-October 12, 1852.
 William E. McLean....October 12, 1852-November 7, 1854. Sixth circuit.
 Ambrose B. Carlton....November 7, 1854; resigned March 29, 1855.
 Theodore Read.....Appointed April 3, 1855; resigned August 2, 1855.
 Francis L. Neff.....Appointed August 6, 1855-November 2, 1856.
 Milton S. Osborn.....November 2, 1856-November 6, 1858.

Isaac N. Pierce	November 6, 1858-November 6, 1860.
Willis G. Neff	November 6, 1860-November 6, 1864.
Michael Malott	November 6, 1864-November 6, 1866.
Jacob S. Broadwell	November 6, 1866-November 6, 1868.
John C. Robinson	November 6, 1868-November 1, 1872.
Courtland C. Matson	November 1, 1872-March 6, 1873. The act of March 6, 1873, put Clay in the Thirteenth.
Daniel W. Comstock	March 6, 1873-November 6, 1874.
W. R. Guthrie	November 6, 1874-November 26, 1876.
Tarvin C. Grooms	November 26, 1876-October 24, 1878.
Charles E. Matson	October 24, 1878-November 17, 1882.
Samuel M. McGregor	November 17, 1882-November 17, 1886.
Pressley O. Colliver	November 17, 1886-November 17, 1890.
Frank A. Horner	November 17, 1890-November 17, 1894.
H. C. Lewis	November 17, 1894-November 17, 1896.
John M. Rawley	November 17, 1896-January 1, 1901.
Smith C. Matson	January 1, 1901-January 1, 1905.
Curtis G. Scofield	January 1, 1905-January 1, 1907.
James P. Hughes	January 1, 1907-January 1, 1911.
S. Walter Lee	January 1, 1911-January 1, 1913.
Bernard Robinson	January 1, 1913-January 1, 1915.
John W. Baumunk	January 1, 1915; term expires January 1, 1917.

CLINTON COUNTY.

Clinton county was organized by the Legislature with the act of January 21, 1830, the act becoming effective on the first of the following March. The village of Jefferson, four miles west of the present city of Frankfort, was the temporary county seat until the proper buildings were erected at Frankfort. The latter was chosen as the seat of justice by the locating commissioners, and the county agent was ordered on May 19, 1830, to have the townsite surveyed and laid off into lots ready for sale. A log court house was built at once and court convened for the first time in it in April, 1831. It was attached to the First judicial circuit, of which Carroll, Cass, Vermillion, Clarke, Montgomery, Fountain, Warren, Tippecanoe and St. Joseph counties were made a part.

The first court in Clinton county convened October 18, 1830, at the house of John Ross in Jefferson, there being no court house erected at that time. Thomas R. Evans was ap-

pointed Prosecuting Attorney pro tem and the grand jury returned one indictment.

John R. Porter, the first Judge of the Clinton circuit (1830-38) came from an old English family. He was born at Pittsfield, Massachusetts, February 22, 1796. He was a graduate of Union College, at Schenectady, New York, and there received the degree of Master of Arts. In 1820 he immigrated to Paoli, Orange county, Indiana, and, after his marriage, was elected county clerk and postmaster and finally President Judge of the first circuit. Thereupon, he moved to Eugene township, Vermillion county. He was a scientific farmer and raised fine woolled sheep, cultivated sugar beets, Baden corn and hemp. He was a fluent writer and conversationalist. His district as Judge extended from the Ohio river to Lake Michigan.

Isaac Naylor, of Crawfordsville, was the second Judge of the Clinton Circuit court, succeeding Judge Porter in 1838. He was a native of Rockingham county, Virginia, and had immigrated with his parents to Kentucky in 1793 and to Indiana in 1805. He settled near Charleston, where he studied law and where later he engaged in the practice. He was married in 1826, and in 1833 settled in Crawfordsville, where he resided until his death in 1873. Judge Naylor was at the battle of Tippecanoe in 1811. He served as Circuit Judge from 1837 to 1852.

William Perkins Bryant, of Rockville, the third Circuit Judge of Clinton county, served as Circuit Judge in the Rockville circuit from 1842 to 1844, with R. H. Wedding and W. C. Donaldson as Associate Judges. After that, he immigrated to Oregon, where, in 1848, he was made Chief Justice of Oregon territory. He returned to Indiana in 1852 and, at the first election under the new Constitution, defeated Judge Naylor for Circuit Judge. He held the office for six years and died at Rockville, October 9, 1860.

John M. Cowan, of Frankfort, the fourth Circuit Judge, was elected from Clinton county. When the state capitol was located at Indianapolis in 1820, the Cowans and Maxwells, Judge Cowan's mother being a Maxwell, moved to Indianapolis. They were among the earliest settlers. Judge John M.

Cowan was born in Indianapolis, December 6, 1821, and moved with his father in 1822 to a farm near Crawfordsville. Judge Cowan graduated from Wabash College in 1842 and shortly afterwards was appointed deputy clerk of Clinton county. He studied law during his spare moments and graduated from the law school of the State University in 1845, after a course of one year. He then opened an office in Franklin, and after his marriage formed a partnership with James F. Suit. In 1858 Cowan defeated William P. Bryant and in 1864 was re-elected without opposition. In 1870, at the close of his term, Judge Cowan located at Crawfordsville and practiced law for a time with Thomas M. Patterson, later United States Senator from Colorado. Two years later he entered a new firm with M. D. White and James E. Cowan, his second son. This partnership arrangement continued for three years. He then retired from the general practice and became assistant cashier and attorney for the First National Bank of Crawfordsville, where he continued until 1881, when he moved to Springfield, Missouri. Judge Cowan lived to be the oldest living graduate of Wabash College.

Thomas F. Davidson, of Covington, the fifth Judge of the Clinton Circuit court, was a native of Covington, born there February 17, 1839. Having studied law under the direction of Gen. Lew Wallace, he opened a law office in Covington in 1861. In 1870 he was elected Judge of the Circuit court, defeating Joseph H. Brown, of Williamsport. In 1873 the circuit was changed, Clinton county being placed in the Twentieth circuit with Boone. Judge Davidson was transferred to the Twenty-first circuit (Fountain, Warren and Vermillion) by this act. At the end of his first term he was re-elected and, at the close of his term in 1882, re-engaged in the practice of law. In 1886 Judge Davidson moved to Crawfordsville and formed a partnership with Francis M. Dice, later reporter of the Supreme Court of Indiana. Several years later he was in partnership with Judge Jere West. Judge Davidson died on May 19, 1892.

Truman H. Palmer, the sixth Circuit Judge, was born near Henry county, Kentucky, November 28, 1827. He worked on a farm until twenty years old and then taught school and read

law. He began the practice of law at Frankfort in 1858 and from 1862 to 1866, served as County Surveyor. He represented Clinton county in the Legislature in 1869. In 1870 he was elected Judge of the Common Pleas court, serving until the court was abolished in 1873. On March 12, 1873, Palmer was appointed by Governor Hendricks as Judge of the new Twentieth circuit, including Clinton and Boone counties. In 1873 he was elected and served until 1879. After leaving the bench, Judge Palmer practiced at Frankfort until his death, November 18, 1903.

Thomas J. Terhune, the seventh Judge of the Clinton Circuit court (1879-83) was a native of Greene county, Indiana, and was graduated from Indiana University in 1873 and from the law school in 1874. After locating at Lebanon, he engaged in the active practice of his profession. In 1883 the Legislature made Clinton county a separate circuit, Judge Terhune being left on the Boone circuit bench, where he continued to serve until 1888. He then resigned the judgeship and formed a partnership with Barton S. Higgins, of Lebanon.

Joseph C. Suit, of Frankfort, the eighth judge of the Clinton Circuit court, was the first who was born in Clinton county. When Clinton county became a separate circuit—the forty-fifth—in 1883, Governor Albert G. Porter appointed Suit to serve until the next election and he filled the office satisfactorily from March 2, 1883, to November, 1884, after which he resumed the practice. He served as County Attorney from 1889 until his death, October 27, 1897. Judge Suit was an adjutant in the Tenth Indiana Volunteer Infantry during the Civil War.

Allen E. Paige, the ninth Circuit Judge, a native of Rhode Island, was born March 15, 1840. He graduated from the Albany Law School at Albany, New York, in 1865. After reading law for a brief period in the office of Judge J. M. Larue, at Lafayette, he moved to Frankfort and for a time taught school. From 1867 to 1870 he edited the *Frankfort Crescent* and afterward engaged in the practice of law with Judge Joseph Claybaugh. Later he practiced with other persons and, in 1876, was elected to the State Legislature as a

Democrat, serving during the session of 1877. Judge Paige was elected Circuit Judge in 1884 and held the office until November, 1890. Judge Paige died in Indianapolis, February 26, 1896.

Samuel H. Doyal, the tenth Circuit Judge, was a native of Kentucky, but grew up in Boone county, Indiana. He taught school and read law and, after attending the law school of the University of Michigan, located at Frankfort in 1865. Judge Doyal was appointed Prosecuting Attorney of the Common Pleas court by Governor Conrad Baker in 1867 and a little later was elected to the office, serving until 1870. Afterward he practiced law with Perry W. Gard until his election to the bench in 1890. Judge Doyal died in Frankfort, January 18, 1897.

James V. Kent, who was elected Judge of the Clinton Circuit court in 1896, served until 1902, when he was defeated by Judge Joseph Claybaugh. Judge Claybaugh served until 1908, when Joseph Combs, the present incumbent, succeeded to the office. Combs was re-elected for a second term of six years in November, 1914.

Before his elevation to the bench, Judge Kent served as Prosecuting Attorney and as a member of the state Senate. After retiring from the bench, he formed a partnership with Thomas M. Ryan. Judge Claybaugh was educated at Miami University and came to Frankfort in 1857, reading law in the office of R. P. Davidson. Judge Combs, the present incumbent, the thirteenth Circuit Judge, is the third native of Clinton county to hold the office. He read law in the office of Judge Joseph C. Suit, and was admitted to the bar in 1886.

Among the early lawyers of Clinton county was Addison L. Roache, who came to Frankfort from Rockville in 1839. He practiced in Frankfort for more than a year and then returned to Rockville. Subsequently he was elected a member of the Indiana General Assembly and later served as a Judge of the Supreme court from 1853 to 1854. After his term as Judge expired, he located in Indianapolis, and was a partner in the practice of law with Senator Joseph E. McDonald. Judge Taylor came to Frankfort from Goshen, Indiana, and practiced at Frankfort for four years, when he moved to

Alabama and later to Brooklyn, New York, from which place he was elected to Congress. Still later he moved to Washington, D. C. Samuel D. Maxwell, the first clerk of Clinton county, who held the office for fourteen years and who began the practice of law in 1843, moved to Indianapolis in 1854 and served as Mayor of Indianapolis from 1858 to 1863. Leander McClurg, a native of Dresden, Ohio, came to Frankfort in 1850, and read law with Judge Cowan and later with Judge Blake. He practiced law for a time, but later purchased the *Frankfort Crescent* in partnership with Joseph T. Pressly, another lawyer, and edited the paper until the close of September, 1856, at which time he was elected Prosecuting Attorney of the Carroll and Clinton Circuit court. In 1860 he was elected a representative from Clinton county in the State Legislature. In 1862 he was a Senator from Clinton and Carroll, making a record in the Legislature as a "War Democrat," and gaining the lifelong friendship of Governor Morton. He was a delegate to the Baltimore convention in 1872, a candidate for Congress in 1874 and was his party's nominee for Circuit Judge at the time of his death, June 24, 1884.

Henry Y. Morrison, who did not begin the practice of law until he was thirty-eight years old, became very successful. His sons, J. W. Morrison and Martin A. Morrison, the present Congressman of the Ninth district, maintain the traditions of the Morrison family. Robert P. Davidson, a native of Kentucky and a graduate of Miami University, who was admitted to the Clinton county bar and who practiced in Clinton county for a number of years later, moved to Lafayette and became a prominent attorney there. He died there April 14, 1909. Perry W. Gard, John Q. Bayless, O. E. Brumbaugh not only were successful lawyers of the Clinton county bar, but were also mayors of Frankfort.

Capt. James N. Sims, who for many years was the nestor of the Clinton county bar, was born at Connersville, January 5, 1817, and was the son of Stephen Sims, who came to Brookville, Indiana, from Tennessee in 1811. After residing in Fayette and Rush counties, the family settled in Boone county in 1834 and this became their permanent residence. Steph-

en Sims filled several public positions and was a delegate to the Constitutional Convention of 1850. James N. Sims worked on his father's farm and attended Asbury (now DePauw) University for one year. He taught school for ten years and during the time studied law. He was admitted to the Clinton county bar in April, 1844, and four years later opened an office in Frankfort, continuing in the practice at Frankfort for more than a half century, a part of the time being in partnership with his brother, Cicero Sims, who was noted as a "mighty hunter" in the early days. Capt. James N. Sims was a delegate to the Republican National Convention in 1860 and supported Abraham Lincoln for the presidency. During the Civil War he and five of his brothers served in the Union army. Capt. James N. Sims enlisted September 16, 1862, in Company I, One Hundredth Indiana Infantry, and was commissioned captain of the company. His health having failed, he was discharged August 11, 1863, and then returned to Frankfort and resumed his professional work. Frederick Sims, his son, has served as Mayor of Frankfort, as Secretary of State and as a member of the Indiana State Board Tax Commissioners.

ASSOCIATE JUDGES.

John Ross.....	April 26, 1830; resigned, March, 1834.
Samuel Mitchell.....	April 26, 1830.
Joseph Wood.....	August 14, 1832, vice John Ross (resigned), to serve seven years from April 26, 1830.
John Brown.....	August 16, 1836, to serve seven years from April 26, 1837.
John F. Aughe.....	August 16, 1836, to serve seven years from April 26, 1837.
Cyrus P. Pence.....	August 10, 1843, to serve seven years from April 26, 1844.
Thomas Kinnard.....	August 10, 1843, to serve seven years from April 26, 1844; resigned, July, 1847.
James Purdum, Jr.....	October 16, 1847, to serve seven years from April 26, 1844, vice Thomas Kinnard, resigned.
James Purdum, Jr.	August 22, 1850, to serve seven years from April 26, 1850.
Michael L. Hinton.....	August 22, 1850, to serve seven years from April 26, 1850.

PROBATE JUDGES.

- William Douglass.....November 4, 1830.
 Nathan Kirk.....August 18, 1832.
 William Douglass.....August 15, 1839.
 William Douglass.....August 15, 1846; removed from county prior to
 April 17, 1851.
 Noah T. Catterlin.....April 17, 1851, appointed.
 Edwin Winship.....August 26, 1851, to serve seven years from date.

COMMON PLEAS JUDGES.

- John W. Blake.....1852-56, resigned.
 Robert P. Davison.....Appointed August 20, 1856-October 28, 1856.
 Jonathan C. Applegate...1856-60.
 John Green.....1860-64.
 Nathaniel R. Lindsey...1864-65, resigned.
 William Garver.....Appointed February 4, 1865-67.
 Thomas J. Cason.....Appointed March 14, 1867-71.
 Truman H. Palmer.....1871-73.

DISTRICT PROSECUTING ATTORNEYS.

- Robert P. Davison.....1852-56, resigned.
 Leander McClung.....Appointed August 25, 1856-58.
 John B. Kane.....1858-60.
 Nathan W. Gordon.....1860-61.
 Joel Stafford.....1861-62.
 Thomas S. Underhill...1862-64.
 James A. Strech.....1864-66.
 Levi Farley.....1866, resigned.
 August F. Shirts.....Appointed November 17, 1866-67. Act of March 11,
 1867, placed Clinton in Twenty-fourth district.
 Samuel H. Doyal.....Appointed March 14, 1867-70.
 James V. Kemp.....1870-72.
 Gilbert H. Goodwin...1872-73.

PRESIDENT JUDGES.

From the time of the organization of Clinton county, March 1, 1830, until the adoption of the new Constitution in 1852, it was in the First circuit and only two Judges served on the bench of the Circuit court in this county. John R. Porter was on the bench of the First at the time of the organization of the county and served until January 27, 1838, when he was succeeded by Isaac Naylor, who served until the new Constitution went into effect on October 12, 1852.

CIRCUIT JUDGES.

- William P. Bryant....October 12, 1852-November 1, 1858. Eighth circuit.
- John M. Cowan.....November 1, 1858-November 1, 1870.
- Thomas F. Davidson...November 1, 1870-March 6, 1873. The act of March 6, 1873, put Clinton in the Twentieth.
- Truman H. Palmer....Appointed March 12, 1873-October 24, 1879.
- Thomas J. Terhune...October 24, 1879-March 2, 1883. The act of March 2, 1883, made Clinton the sole county of the Forty-fifth, where it has since remained.
- Joseph C. Suit.....Appointed March 8, 1883-November 12, 1884.
- Allen E. Page.....November 12, 1884-November 12, 1890.
- Samuel H. Doyal.....November 12, 1890-November 12, 1896.
- James V. Kent.....November 12, 1896-November 12, 1902.
- Joseph Claybaugh ...November 12, 1902-November 12, 1908.
- Joseph Coombs.....November 12, 1908; term expires November 12, 1920.

PROSECUTING ATTORNEYS.

- Edward A. Hannegan...March 1, 1830-January 25, 1832. First circuit.
- Andrew Ingram.....January 25, 1832-January 23, 1834.
- William P. Bryant....January 23, 1834-January 23, 1838.
- Joseph A. Wright....January 23, 1838-December 5, 1839.
- Samuel C. Wilson....December 5, 1839-September 4, 1843. resigned.
- Joseph E. McDonald...Appointed September 4, 1843-September 19, 1847.
- Lew Wallace.....August 18, 1851-May 14, 1853. The act of June 17, 1852, put Clinton in the Eighth and transferred Wallace from the First to the Eighth.
- Daniel W. Voorhees...May 14, 1853; resigned July 24, 1854.
- Samuel L. Telford....Appointed July 24, 1854-November 7, 1854.
- Charles A. Naylor....November 7, 1854-February 9, 1855.
- James M. Allen.....Appointed February 20, 1855-May 30, 1856.
- Henry ShannonAppointed May 30, 1856-November 2, 1856.
- Thomas N. Rice.....November 2, 1856-November 12, 1858.
- Robert W. Harrison...November 12, 1858-November 12, 1862.
- Samuel F. Wood.....November 12, 1862; resigned October 12, 1868.
- Horton C. Patterson...Appointed October 12, 1868-November 3, 1868.
- Robert B. F. Peirce...November 3, 1868-March 6, 1873. The act of March 6, 1873, put Clinton in the Twentieth.
- Gilbert H. Goodwin...Appointed March 12, 1873-October 24, 1873.
- William B. Walls....October 24, 1873-October 24, 1875.
- Henry C. Wills.....October 24, 1875-October 24, 1877.
- William R. Moore....October 24, 1877-October 24, 1881.
- Francis M. Charlton...October 24, 1881-March 2, 1883. The act of March 2, 1883, made Clinton the sole county of the Forty-fifth, where it has since remained.
- William R. Hines....Appointed March 2, 1883-November 14, 1884.

William A. Staley	-----	November 14, 1884-November 14, 1886.
Mauford B. Beard	-----	November 14, 1886-November 14, 1890.
Joseph Combs	-----	November 14, 1890-November 14, 1892.
N. B. Claybaugh	-----	November 14, 1892-November 14, 1896.
William L. Palmer	-----	November 14, 1896-November 14, 1898.
William S. Sims	-----	November 14, 1898-January 1, 1901.
Arthur L. McGuire	-----	January 1, 1901-January 1, 1903.
George V. Moss	-----	January 1, 1903-January 1, 1907.
William Robinson	-----	January 1, 1907-January 1, 1911.
Dallas S. Holman	-----	January 1, 1911; resigned September 25, 1911.
Charles G. Gunter	-----	Appointed September 25, 1911; term expires January 1, 1917.

CRAWFORD COUNTY.

Crawford county was organized by the Legislature on January 29, 1818, and the act became effective on the 1st of the following March. Prior to this time the county had been a part of Harrison county, which had been organized October 11, 1808. Probably no county in the state has had so much difficulty in getting its county seat located as has Crawford, and, owing to the fact that the early records are not complete, it is practically impossible to trace the various struggles through which the county has gone in an effort to get its county seat located.

The commissioners who were designated in the act creating the county to locate the seat of justice, selected Mount Sterling, which at that time was the only village platted in the county. Within three years, however, the citizens of the county appealed to the Legislature for an act providing for the relocation of the seat of justice, and the act of December 21, 1821, specifically said that the county seat was to be moved from "Mountsterling." It was taken to Fredonia, a town on the Ohio, and it seems to have been kept there until 1843. At least an act of the Legislature passed January 4, of that year, provided for its removal from that place. The third county seat was Leavenworth, and in this village a solid stone court house was erected in 1846 at a cost of five thousand dollars.

The next chapter in the history of the county seat opened in 1893. A short time prior to this date, the Southern railroad had been built through the county and the citizens at once began to agitate the removal of the seat of justice to some

site on the railroad. The present town of English had been laid out on the railroad under the name of Hartford, but while William H. English was in Congress he obtained the location of the postoffice at Hartford and, in recognition of his efforts in this direction, the citizens of the town changed its name to English. It was this place which was to become the fourth county seat, but it was not until after a struggle which has no parallel in the history of Indiana.

In October, 1893, a meeting was held at English by the most enterprising citizens of the northern part of the county, at which time a committee composed of William F. Richards, William T. Beasley and William T. Carr was chosen to lead the fight for relocation. During the fall of this year, James R. Pro bought the *Marengo Observer*, moved it to English and changed its name to the *English News*. Pro at once opened up the county seat question and, of course, advocated its immediate removal from Leavenworth to English.

The committee which has been appointed to take charge of the fight employed Judge Charles Jewett, of New Albany, and Judge C. W. Cook and Major W. Funk, of Corydon, to represent the interests of the English advocates. The committee next appointed petitioners in all of the northern townships of the county and another corps of petitioners at large, who were to secure the names of all those in favor of the removal. Among the men who were selected to do this work were R. L. and G. W. Sloan, W. W. Temple, T. B. Cummins, M. J. Brown, Dr. C. D. Luckett, H. A. Brown, H. J. Brown, J. R. Crews and William and John Luckett. Each petition provided for twenty-five signatures and when they were filled, they were returned in person by the ones securing the signatures and sworn to before A. J. Goodman, a notary public. Goodman handled all of the petitions and turned them over to J. R. Pro and W. W. Temple, who verified them and then returned them to Goodman, who placed his signature to them and filed them in his office. All of this work was done in November, 1893, and the net result showed a majority of the qualified voters of the county in favor of moving the seat of justice to English.

Now follows the most exciting struggle which has ever

been witnessed in the state. On the first Monday of December, the English adherents, armed with these petitions (and so some say, with more formidable weapons), formed what might be called a skirmish line, reaching across the county from east to west, and on that memorable day made a drive for Leavenworth to meet the county commissioners, Amos Adkins, James G. Thurston and A. J. Scott. In the course of their trip across the county they gathered the names of an additional one hundred and eighty petitioners, which, with those already secured, gave the English people a handsome majority in their favor. On their arrival at Leavenworth, at two o'clock on the same afternoon, they at once entered a motion to file with the first petitions the names of those secured on their rush across the county that day. The real fight was now on.

The remonstrators, that is, those who were opposed to relocation, were represented by Robert J. Tracewell, of Corydon, and J. L. Suddarth and John H. Weathers, of Leavenworth, while the English followers were represented, as heretofore mentioned, by Charles Jewett, C. W. Cook and W. Funk. For two hours and a half a wordy encounter was engaged in and at half-past four the commissioners announced that they would grant the prayer of the petitioners. But the Leavenworth citizens were not disposed to abide by the decision of the commissioners. They at once took an appeal from this decision to the Crawford Circuit court, got a change of venue to the Harrison Circuit court and from there they finally took it to the Washington Circuit court, where it was tried before Judge Davis, an Appellate Judge. The trial which followed was filled with dramatic incidents. The petitioners had a large map of the county made by the county superintendent, Charles Robertson, in which he had located every town, school house and church in the county. This map was placed on the court room floor before the witness chair, in plain view of the jury and witnesses. The map proved to be of wonderful help in furthering the cause of the English people. Three weeks of legal warfare ensued, but the Leavenworth lawyers could not save the county seat for their clients. The English advocates had won every contest from the

commissioners' court to this final decision and were naturally very jubilant over their success.

It seemed that the struggle was over, but, although English had been declared the county seat, the town did not yet actually have the county records in its possession, nor, of course, was there a court house or any suitable building to receive them. The committee in charge of affairs at English at once began to build a court house, but they had only fairly got started when the Leavenworth adherents filed an injunction which stopped everything. It was claimed that the county was so heavily in debt that the building of a new court house, such as had been planned by the county commissioners, would completely exhaust the county treasury. Nevertheless, the injunction was finally set aside and the work of building the court house pursued with renewed vigor.

It is interesting to note in this connection that the court house was not built in the town of English. At this time there was a law which provided that no county seat could be relocated within four miles of the county line, and, unfortunately, English was less than four miles from the northern boundary of the county. But this did not dampen the ardor of the citizens of English. They selected a site on the top of a hill a half mile south of the town, trusting that the town would eventually grow until it included the court house site. Another reason for locating the court house outside of the town limits was the fact that the title to the land on which the town of English was built was faulty and it was very evident, in view of all that had transpired, that the new court house must be erected on land for which a clear title could be secured.

The new court house was sufficiently completed in April, 1894, so it could be utilized and now the question arose as to the securing of the county records. On Saturday, April 24, 1894, the committee of English citizens who had been managing the court house fight held a meeting to decide upon some definite plan of action. They felt that the Leavenworth people would not surrender the records without a struggle and they wanted to be prepared for any emergency which might arise. At this crisis an old soldier of the Civil War, A. J. Godman by name, offered to engineer the removal of the

records. At this meeting, just mentioned, Goodman asked the committee, through R. L. Sloan, to resign, which they promptly did, and then Sloan moved that the whole matter be entrusted to Goodman. The committee evidently had sufficient faith in the ability of Goodman to get the records and when he laid his plan of action before them, they gave their consent.

Goodman informed the committee that he was going to descend in semi-military fashion on Leavenworth on the following Monday and get the county records, even if it was necessary to resort to actual warfare. On the night of April 24, 1894, the campaign was worked out in detail. All of the saloons in English were ordered closed until Monday evening and every man who enlisted pledged himself to abstain from any intoxicating liquors until Monday night. Goodman figured that by that time the county records would be safely deposited in the new court house in English.

On this Saturday night, horsemen were sent to all parts of the county, soliciting two-horse wagons, horseback riders (who, by the way, were instructed to arm themselves), and every man who was in favor of the removal. This army was to assemble at English on Sunday, April 25, 1894, at noon. The start was set for one o'clock Monday morning. On Sunday two-horse wagons, men on horseback, and all armed, began to pour into English. The wagons were carefully numbered and parked and each driver given his number. The arms and munitions of war were loaded in the front wagon. Three men, well acquainted with derrick work, were assigned to wagons which had been fitted up with block and tackle for loading the heavy safes. Three sledge hammers were provided and three men were assigned to their use. They were to be used in case the county officials refused to unlock their doors, and, for fear that the sledge hammers would not suffice, a few sticks of dynamite were secured and taken along to be used in an emergency. It was currently reported that the Leavenworth people would resist any efforts to take the records and it was also reported that they had made a veritable fort out of their court house. Three men were selected to

handle the dynamite and one of them was given a nickname on that account.

At half past twelve o'clock on this eventful Monday morning, Goodman ordered his cavalry to mount and proceeded to drill them in true cavalry fashion for half an hour. At one o'clock sharp the command was given to start and the county seat army was off for the home of the enemy, fourteen miles away. At seven o'clock the inhabitants of Leavenworth were given their first view of the invading army—ninety-six two-horse wagons, eighty-two mounted and fully armed horsemen, and foot soldiers to the number of four hundred and seventy-eight. A committee at once waited upon the county officials and the latter after sizing up the invaders and noting their strength, promptly informed the committee that the court house doors would be opened at eight o'clock. As the town clock tolled the hour of eight, the doors of the court house swung open and the men, who were delegated for each separate office, marched in and proceeded to carry out and load the records. While this was going on, the bulk of the invaders stood at arms, while the Leavenworth people stood aghast. And thus the records were secured. After the last book was in, the cavalcade slowly wended its way out of the village, and, by five o'clock of this eventful Monday, every record was safely deposited in English. Thus ended the most picturesque county-seat fight ever staged in the state.

The first session of the Circuit court of Crawford county met at Mt. Sterling in December, 1818. The legislative act of January 28, 1818, divided the state into four circuits and Crawford, upon its organization the following day, was attached to the Second circuit, which also included Harrison, Orange, Washington, Jackson, Clark and Jefferson counties. The first President Judge of the circuit was Davis Floyd and the first two Associate Judges of Crawford county were Henry Green and James Glenn. David McDonald was the first Prosecuting Attorney.

ASSOCIATE JUDGES.

Henry Green	-----	March 2, 1818; resigned, June, 1820.
James Glenn	-----	March 2, 1818; resigned, July, 1822.
Michael Real	-----	August 23, 1820; resigned, July, 1822.

- David Stewart -----August 23, 1822.
 Moses Smith -----August 23, 1822.
 Cornelius Newkirk ----November 16, 1824, appointed, vice David Stewart,
 resigned.
 C. Newkirk -----November 25, 1824, to serve seven years from
 February 25, 1825.
 Constant Williams ----November 25, 1824, to serve seven years from
 February 25, 1825.
 Elisha Tadlock -----January 2, 1832, appointed, to serve from March
 2, 1832; resigned, July, 1837.
 James Tatten -----August 20, 1838, to serve seven years from March
 2, 1839.
 Joseph Denbo -----August 20, 1838, to serve seven years from March
 2, 1839.
 Jacob Poe -----November 6, 1845, to serve seven years from March
 2, 1846.
 Emanuel Schoonover --November 6, 1845, to serve seven years from March
 2, 1846; resigned in December, 1850 or 1851.
 Allen D. Thom.-----March 17, 1851 (special election), to serve seven
 years from March 27, 1846, vice Emanuel Schoon-
 over, resigned.

PROBATE JUDGES.

- David Stewart -----August 11, 1829; resigned July 25, 1833.
 Michael Real -----August 15, 1833, to serve seven years from date.
 Richard Real -----September 25, 1840, to serve seven years from
 August 15, 1840; resigned June, 1846.
 John H. McMickle.----July 30, 1846, to serve seven years from date.

COMMON PLEAS JUDGES.

- William Morrow ----1852-56.
 Frederick T. Mathis---1856-60.
 John J. Key-----1860-61, resigned.
 Charles J. Mason-----Appointed November 15, 1861-62.
 David T. Laird-----Appointed November 1, 1862-70, resigned.
 Charles J. Mason-----Appointed September 5, 1870-October 24, 1870.
 Milton S. Mavity-----1870-73.

DISTRICT PROSECUTING ATTORNEYS.

- David W. Lafollette---1852-54.
 Zachariah L. Garriot--1854-56.
 Joel Vandever -----1856-57, resigned.
 Zachariah L. Garriot--Appointed November 9, 1857-58.
 Hamilton A. McRae---1858-59.
 Benjamin L. Smith----1859-60.
 Wiley Adams -----1860-62.
 William C. Adams----1862-64.
 J. J. McAllister-----1864-66, resigned.

Milton S. Mavity-----Appointed January 29, 1866.
 Sidney B. Hatfield----1866-68.
 John W. Buskirk-----1868-69, resigned.
 William Farrell -----Appointed June 14, 1869-70.
 John C. Schafer-----1870-73.

PRESIDENT JUDGES.

Davis Floyd -----March 1, 1818-December 31, 1821. The act of December 31, 1821, took Crawford out of the Second and put it in the Fourth.
 Richard Daniel -----December 31, 1821-February 21, 1822.
 James R. E. Goodlet--February 21, 1822-January 25, 1832.
 Samuel Hall -----January 25, 1832-April 20, 1835, resigned.
 Charles I. Battell----Appointed April 20, 1835-December 11, 1835.
 Elisha Embree -----December 11, 1835-January 1, 1846.
 James Lockhart -----January 1, 846; resigned September 21, 1851.
 Alvin P. Hovey -----January 1, 1846; resigned September 21, 1851.

CIRCUIT JUDGES.

George A. Bicknell----October 12, 1852-February 22, 1859. The act of February 22, 1859, took Crawford out of the Second and put it in the newly created Fifteenth.
 William F. Parrett----Appointed August 3, 1859; resigned March 10, 1869.
 James G. Jones-----Appointed March 12, 1869-October 24, 1870.
 David T. Laird-----October 24, 1870-October 24, 1876. The act of March 6, 1873, put Crawford in the Second, and transferred Laird from the Fifteenth to the Second.
 John B. Handy-----October 24, 1876-March 3, 1877. The act of March 3, 1877, put Crawford in the Third.
 Thomas C. Slaughter--March 3, 1877; died in office January 28, 1879. Judge Slaughter had been on the bench of the Third since October 22, 1873.
 George W. Denbo-----Appointed January 23, 1879-October 22, 1879.
 Samuel Ramsey -----October 22, 1879-November 14, 1884.
 William T. Zenor-----November 14, 1884; resigned January 5, 1897.
 Robert S. Kirkham----Appointed January 8, 1897-October 22, 1897.
 Christ W. Cook-----October 22, 1897-October 22, 1909. The act of March 3, 1903, constituted Crawford, Harrison and Perry the Third, since which time no change has been made.
 William Ridley -----October 22, 1909; term expires October 22, 1921.

PROSECUTING ATTORNEYS.

Amos Clark -----August 9, 1824-August 14, 1826. Fourth circuit.
 Charles I. Battell----August 14, 1826-December 30, 1832.
 John Pitcher -----December 30, 1832-August 10, 1836.

- Eben D. Edson.....Appointed August 10, 1836-January, 1837.
 John A. Breckenridge...January, 1837-December 7, 1838.
 Eben D. Edson.....December 7, 1838-December 10, 1840.
 John PitcllerDecember 10, 1840-August 6, 1841, resigned.
 John IngleAugust 6, 1841-December 10, 1841.
 James LockhartDecember 10, 1841-September 19, 1845.
 Eben D. Edson.....September 9, 1845-August 27, 1846.
 Samuel S. DeBruker....August 27, 1846-August 27, 1848.
 Andrew L. Robinson...August 23, 1849-September 1, 1851.
 Harmon G. Barkwell...September 1, 1851-October 12, 1852.
 Samuel W. Short.....October 12, 1852; resigned February 1, 1854.
 Patrick JewettAppointed March 8, 1854-November 19, 1856.
 Thomas M. Browne....November 19, 1856-November 7, 1858.
 Robert M. Weir.....November 7, 1858-February 22, 1859. The act of
 February 22, 1859, took Crawford out of the Sec-
 ond and put it in the Fifteenth.
 J. M. Shanklin.....Appointed August 3, 1859-November 5, 1861.
 Blythe HinesNovember 5, 1861-May 21, 1863.
 Charles E. Marsh.....May 21, 1863-November 12, 1864.
 Lewis C. Stinson.....November 12, 1864-November 23, 1865.
 William P. Hargrave...November 23, 1865-November 23, 1867.
 William HeuningNovember 23, 1867-October 24, 1870.
 Curran DeBrukerOctober 24, 1870-October 21, 1872.
 Edwin R. Hatfield....October 21, 1872-October 26, 1876. The act of
 March 6, 1873, put Crawford in the Second and
 transferred Hatfield from the Fifteenth to the
 Second.
 George L. Reinhard...October 26, 1876-March 3, 1877. The act of March
 3, 1877, put Crawford in the Third.
 William T. Zenor.....Appointed March 10, 1877-November 17, 1882.
 Major W. Funk.....November 17, 1882-November 17, 1886.
 George K. Gwartney ..November 17, 1886-November 17, 1888.
 Jerry L. Suddarth....November 17, 1888-November 17, 1890.
 Christ W. Cook.....November 17, 1890-November 17, 1894.
 A. W. Funkhouser....November 17, 1894-November 17, 1896.
 Charles L. Fleshman..November 17, 1896-January 1, 1901.
 John H. Lockett.....January 1, 1901-January 1, 1905.
 John W. Ewing.....January 1, 1905-January 1, 1909.
 Clyde R. Lottick....January 1, 1909-January 1, 1913.
 Charles T. Brown....January 1, 1913; term expires January 1, 1917.

 DAVIESS COUNTY.

Daviess county was created out of a part of Knox county by an act of the Indiana General Assembly, approved December 24, 1816. The first building in which court was held in

Daviess county, and which, by courtesy, became known as the court house, was a log structure, the home of Alexander Bruce. This primitive and temporary temple of justice stood on the southeast corner of Main and Second streets and was used for court purposes from April 21, 1817, until 1824, when the first court house built by the county was finished. James G. Read, one of the first Associate Justices, and a man who was prominently identified with the county's early history, erected the first court house. It was not finished until 1824, six years after the foundation had been laid.

On April 21, 1817, the first session of the Daviess Circuit court convened at the house of Alexander Bruce, with William Prince as President Judge. The two Associate Judges were William H. Routt and James G. Read. George R. C. Sullivan was the Prosecuting Attorney. Judge Prince resigned May 16, 1818, and Governor Jennings appointed Thomas Blake to serve until the Legislature should select a successor. General W. Johnston was chosen by the Legislature on December 31, 1818, but resigned in the following April. Jonathan Doty (1819-22), who followed Johnston, found the work of Judge more onerous than remunerative and resigned in March, 1822. Jacob Call served the following two years, resigning July 28, 1824, in favor of John R. Porter. The act of January 20, 1830, put Daviess in the Seventh circuit and five days later the Legislature appointed John Law Judge of the new circuit. Judge Law resigned in August of the following year and was succeeded by General W. Johnston, who filled the bench until January 21, 1832. Amory Kinney succeeded Judge Johnston and served as President Judge until January, 1837, when Elisha M. Huntington came upon the bench. Judge Huntington served until April, 1839, when he was succeeded by David McDonald, whose term as President Judge continued until 1852, when the new Constitution became effective.

The first Circuit Judge under the new Constitution in Daviess county was Alvin P. Hovey, who began his term on October 12, 1852, and served until 1854. Hovey was a distinguished soldier in the Civil War and arose to the rank of major-general. He was elected a representative in Congress for the First district in 1886 and, two years later, was elected

Governor of Indiana, dying during his term of office. General Hovey was succeeded as Circuit Judge by William E. Niblack, who began his term in 1854 and served until his resignation, October 24, 1857. Judge Niblack represented the First Indiana district in Congress during the thirty-ninth, fortieth, forty-first and forty-second sessions, from 1865 to 1873.

Ballard Smith succeeded Judge Niblack on the bench and served by appointment from October 24, 1857, to November 1, 1858. Michael F. Burke, of Washington, was commissioned Judge of the circuit by Governor A. P. Willard, on November 1, 1858, and continued until his death, May 22, 1864, after which he was succeeded by James C. Denny, who was appointed to the position by Governor Morton. In the following election John Baker was elected Judge of the circuit and he continued in office until November, 1870, when he was succeeded by Judge Newton F. Malott, who had been elected in the fall of 1870. Judge Malott continued as Judge of the circuit until April 2, 1885, when a change in judicial districts was made and he became, by virtue of this act, a resident of another district. By this change Daviess county became a part of the Forty-ninth judicial circuit and David J. Hefron was appointed (April 2, 1885) by Governor Isaac P. Gray as Judge of the new circuit. At the following election, Judge Hefron was chosen to succeed himself and he continued in office until 1898, when Hileary Q. Houghton, of Shoals, was elected Circuit Judge. Judge Houghton served twelve years, his term ending November 15, 1910, when James W. Ogden, the present Judge, assumed the duties of the office. Judge Ogden's term expires November 15, 1916.

ASSOCIATE JUDGES.

James G. Read.....April 16, 1817.
 William H. Routt.....April 16, 1817; resigned June, 1821.
 Philip BartonAugust 27, 1821; resigned June 25, 1825.
 Ephraim Thompson ---August 27, 1821.
 Ephraim Thompson ---August 22, 1823.
 Phillip BartonAugust 22, 1823.
 Rowley ScottAugust 22, 1825, vice Phillip Barton, resigned.
 Michael MurphyApril 30, 1829, to serve seven years from August
 22, 1825.

- Michael Murphy -----September 8, 1830, to serve seven years from
March 10, 1831; resigned December 18, 1834.
- Ephraim Thompson ---September 8, 1830, to serve seven years from
March 10, 1831; resigned June, 1834.
- John L. Caldwell-----August 5, 1834, to serve seven years from March
10, 1831; resigned March, 1836.
- Elijah Chapman -----March 20, 1835, appointed, vice Michael Murphy
(resigned), to serve seven years from March 10,
1831.
- Cornelius Berkshire --May 14, 1836, to serve seven years from March
10, 1831, vice John L. Caldwell, resigned.
- Cornelius Berkshire --August 21, 1837.
- Kenneth Dye -----August 21, 1837.
- Cornelius Berkshire ---August 27, 1844, to serve seven years from March
10, 1845.
- Benjamin Fitzgerald --August 27, 1844, to serve seven years from March
10, 1845.
- Jesse Morgan -----August 25, 1851, to serve seven years from March
10, 1852.
- Samuel A. Rodarmel---August 25, 1851, to serve seven years from March
10, 1852.

PROBATE JUDGES.

- James Breeze -----August 13, 1829, resigned.
- James McDonald -----July 23, 1832, appointed.
- James McDonald -----September 3, 1832, to serve seven years from date.
- William G. Cole-----December 23, 1838, vice James McDonald (removed
from county), to serve until August election, 1839.
- William G. Cole-----August 14, 1839, to serve seven years from date.
- William G. Cole-----August 21, 1846, to serve seven years from August
14, 1846; died July 16, 1849.
- Alfred Davis -----August 7, 1849, vice William G. Cole, deceased.
- John Brayfield -----September 7, 1850, to serve seven years from date.

COMMON PLEAS JUDGES.

- Richard A. Clements, Sr.1852-66, resigned.
- James C. Denny-----Appointed May 21, 1866-November 12, 1866.
- Richard A. Clements, Sr.1866-67.
- W. Ray Gardner-----Commission issued October 22, 1867 (declined to
accept).
- James T. Pierce-----1867-73.

DISTRICT PROSECUTING ATTORNEYS.

- James H. McConnell---1852-54.
- Clark M. Anthony-----1854-55, resigned.
- Henry S. Cauthorn----Appointed July 2, 1855-56, resigned.
- J. W. Burton-----Appointed March 29, 1856.

William H. Donahey___1856-58.
 Oliver T. Baird_____1858-60, resigned.
 Noah S. Given_____Appointed March 27, 1860-62.
 James T. Pierce_____1862-66.
 Samuel H. Taylor_____1866-70.
 Europe F. Littlepage___1870-72, resigned.
 Frank B. Posey_____Appointed March 19, 1872.
 Charles H. McCarty___1872-73.

PRESIDENT JUDGES.

William Prince _____February 15, 1817-May 16, 1818; resigned. First circuit.
 Thomas Blake _____Appointed May 16, 1818-December 31, 1818, resigned.
 General W. Johnston___Appointed December 31, 1818-April 10, 1819, resigned.
 Jonathan Doty _____Appointed April 10, 1819-March 7, 1822, resigned.
 Jacob Call _____Appointed March 7, 1822-July 28, 1824, resigned.
 John R. Porter_____Appointed July 28, 1824-January 20, 1830. The act of January 20, 1830, put Davless in the Seventh.
 John Law _____January 25, 1830-August 10, 1831, resigned.
 General W. Johnston___Appointed August 10, 1831-January 21, 1832.
 Amory Kinney _____January 21, 1832-January 25, 1837, resigned.
 Elisha M. Huntington___Appointed January 25, 1837-January 28, 1839. The act of January 28, 1839, put Daviess in the Tenth.
 David McDonald _____January 28, 1839-October 12, 1852.

CIRCUIT JUDGES.

Alvin P. Hovey_____October 12, 1852; resigned September 26, 1854. Third circuit.
 William E. Niblack____Appointed September 26, 1854; resigned October 24, 1857.
 Ballard Smith _____Appointed October 24, 1857-November 1, 1858.
 Michael F. Burke_____November 1, 1858; died in office May 22, 1864.
 James C. Denny_____Appointed June 27, 1864-November 1, 1864.
 John Baker _____November 1, 1864-November 1, 1870.
 Newton F. Mallott____November 1, 1870-April 2, 1885. The act of March 6, 1873, put Daviess in the Twelfth, and transferred Mallott from the Third to the Twelfth. The act of April 2, 1885, put Daviess in the newly created Forty-ninth with Martin, where they have since remained.
 David J. Hefron_____Appointed April 2, 1885-November 15, 1898.
 Hileary Q. Houghton___November 15, 1898-November 15, 1910.
 James W. Ogden_____November 15, 1910; term expires November 15, 1916.

PROSECUTING ATTORNEYS.

- John Law -----August 9, 1824-January 20, 1830. The act of January 20, 1830, put Daviess in the Seventh.
- E. M. Huntington-----January 25, 1830-January 25, 1832.
- John H. Dowden-----January 25, 1832-April 9, 1833, died.
- Erasmus H. McJunkin-----Appointed April 9, 1833-August 13, 1834, died.
- John Cowgill -----Appointed August 14, 1834-December 4, 1834.
- David McDonald -----December 4, 1834-August 17, 1837, resigned.
- John Cowgill -----August 17, 1837-February 13, 1838.
- Delana R. Eckles-----February 13, 1838-January 28, 1839. The act of January 28, 1839, put Daviess in the Tenth.
- John I. Watts-----February 1, 1839-February 1, 1843.
- William G. Quick-----February 1, 1843-February 1, 1845.
- Craven P. Hester-----February 1, 1845-February 1, 1849.
- William M. Franklin---August 23, 1851-October 12, 1852.
- Andrew L. Robinson---October 12, 1852-November 7, 1854. Third circuit.
- Nathaniel Usher -----November 7, 1854-November 22, 1855, resigned.
- Harmon G. Barkwell---November 22, 1854; resigned August 15, 1857, to take effect August 31, 1857.
- William F. Parrett---Appointed August 31, 1857-November 12, 1857.
- James M. Shanklin---November 12, 1857. Record states Shanklin resigned August 11, 1858, although commission was issued again November 24, 1858, and served until August 3, 1859, when Shanklin was transferred to Fifteenth.
- Richard A. Clements, Jr.Appointed August 3, 1859-August 14, 1866.
- W. Ray Gardiner-----Appointed August 14, 1866-November 3, 1866.
- Cutler S. Dobbins-----November 3, 1866-November 3, 1872.
- Samuel H. Taylor-----November 3, 1872-March 6, 1873. The act of March 6, 1873, put Daviess in the Twelfth.
- John H. O'Neill-----Appointed April 12, 1873-November 12, 1877.
- Ephraim Moser -----November 12, 1877-November 12, 1879.
- John S. Long-----November 12, 1879-November 17, 1882.
- Arnold J. Padgett---November 17, 1882-April 2, 1885. The act of April 2, 1885, put Davies in the Forty-ninth where it has since remained.
- Hiram McCormack ----Appointed June 26, 1885-November 17, 1886.
- Joseph D. Laughlin---November 17, 1886-November 17, 1888.
- Charles M. Mears-----November 17, 1888-November 17, 1892.
- James M. Huff-----November 17, 1892-November 17, 1894.
- P. R. Wadsworth-----November 17, 1894-November 17, 1896.
- James B. Marshall---November 17, 1896-November 17, 1898.
- Charles M. Mears-----November 17, 1898-January 1, 1901.
- Alvin J. Padgett-----January 1, 1901-January 1, 1905.
- Edgar T. Laughlin---January 1, 1905-January 1, 1909.
- Elmer E. Hastings---January 1, 1909-January 1, 1911.
- Flavian A. Seal-----January 1, 1911-January 1, 1915.
- Charles M. Mears-----January 1, 1915; term expires January 1, 1917.

DEARBORN COUNTY.

Dearborn was the third county in the state to be organized, following Knox and Clark counties. It was created by the Territorial Legislature on March 7, 1803, and occupied a triangular tract, known in Indiana history as the "Gore," which reached from the Ohio river to a point in Jay county. It included all of the present counties of Dearborn and Ohio, together with parts of Switzerland, Franklin, Union, Wayne, Randolph and Jay.

When Dearborn county was organized, its seat of justice was located at Lawrenceburg, the court house being one-half of a double-log cabin belonging to Jabez Percival, one of the territorial Judges. Rising Sun was anxious to have the county seat and when it found that Lawrenceburg was to have the honor, its leading citizens began to agitate the question of organizing a new county, of which Rising Sun should be the county seat. The struggle between the two towns was finally the cause of Lawrenceburg losing the county seat for a few years. On September 26, 1836, Wilmington became the county seat of Dearborn county and it was not until April 4, 1844, that it was moved back to Lawrenceburg in accordance with the legislative act of January 3, 1844. It was out of this fight that Ohio county came into existence as a result of the act of January 4, 1844. The Lawrenceburg court house was gutted by fire on the morning of March 6, 1826, and all of the county records were lost. A new structure was immediately erected, the same foundation and walls being utilized. This building continued in use (with the exception of the eight years the county seat was at Wilmington) until 1870, when it was torn down to make way for the present building.

Dearborn county was in existence thirteen years under the old territorial government of Indiana and during this time had a variety of local courts. There were Common Pleas courts, General Quarter-sessions of the Peace courts, Orphans' courts, Probate courts and courts of Jail Delivery. It is not certain when the first term of court convened in the county, but the best authority states that the first court was held in February, 1803. This first session was held in the log cabin of Dr. Jabez Percival, one of the Associate Judges. The first

Judges of the Court of Common Pleas were commissioned by Governor Harrison on March 7, 1803. They were Benjamin Chambers, John Brownson, Jeremiah Hunt, Jabez Percival, Barent Hulick and Richard Stevens. These six Judges also presided over both the Quarter Sessions and the Orphans courts. A complete list of all of the Judicial officers of the county from 1803 to 1816 is given in a subsequent paragraph of this chapter.

The first court house in the county was erected in 1810 and stood on the site of the present structure. It was a two-story brick building and served the purpose for which it was built until it was destroyed by fire, March 5, 1826.

The act of December 24, 1816, divided the fifteen counties of the state into three Judicial circuits, Dearborn being placed in the third with Franklin, Wayne, Switzerland and Jefferson. Only one other change was made in the circuit before 1852. This was provided for by the act of January 15, 1847, which put Dearborn in the Thirteenth with Franklin, Decatur and Ripley. John Test, of Franklin county, was elected by the Legislature in December, 1816, as the first President Judge of the Third circuit and he served until he resigned, January 2, 1819. Alexander O. Meek was elected by the Legislature to succeed Judge Test, but he resigned a month later and John Watts, of Dearborn county, was chosen in his stead. Judge Watts served less than a year, being followed by Miles C. Eggleston, of Switzerland county, who served continuously until December, 1844. Courtland Cushing, of Jefferson county, succeeded Judge Eggleston and presided over the Dearborn Circuit court until the act of January 15, 1847, put Dearborn in the Thirteenth circuit. Six days later the Legislature elected George H. Dunn, of Dearborn county, as President Judge of the new circuit. Judge Dunn was followed in January, 1850, by William M. McCarty, of Franklin county, who served until the new Constitution went into effect, October 12, 1852.

Judge McCarty was the only President Judge in the state elected to the Circuit bench under the new Constitution in 1852. Dearborn county was placed in the Fourth circuit by the act of June 17, 1852, the circuit also including Franklin,

Decatur, Shelby, Rush, Fayette and Union. Judge McCarty resigned, July 29, 1853, and the Governor appointed Reuben D. Logan, of Decatur county, on the 10th of the following October as his successor. Judge Logan served by appointment and subsequent election until October 12, 1865. At that time, Jeremiah M. Wilson, of Fayette county, came upon the bench and he was presiding at the time the act of April 22, 1869, put Dearborn in the newly-created Twenty-sixth circuit with Union, Franklin and Ohio. Judge Wilson was left in the Fourth circuit, which was composed of Decatur, Rush and Fayette, and the Governor appointed (April 28, 1869) Robert N. Lamb, of Switzerland county, as the first Judge of the newly-created Twenty-sixth circuit. Judge Lamb was succeeded by Henry C. Hanna, of Franklin county, in October, 1870, and the latter served until the act of March 6, 1873, united Dearborn and Ohio in the Seventh circuit. Judge Lamb was left in the Sixth circuit and the Governor appointed (March 29, 1873) Omer F. Roberts as Judge of the Seventh. Judge Roberts was elected in the fall of 1873 and served a full term of six years.

Following Judge Roberts in 1879 came Noah S. Givan, William H. Bainbridge and A. C. Downey, who served six years each in succession. During the incumbency of Judge Bainbridge, the act of February 4, 1891, added Switzerland to the Seventh circuit, but this county was detached with the act of February 24, 1897, and added to Jefferson to constitute the Fifth circuit. Dearborn and Ohio have constituted the Seventh since 1897. Noah S. Givan again came on the bench in October, 1897, for a six-year term. He was followed in 1903 by George E. Downey, of Dearborn county, who served by re-election until he resigned in May, 1913, to become comptroller of the United States treasury. Warren N. Hauck, of Dearborn county, the present incumbent, was appointed May 10, 1913, to fill out the unexpired term of Judge Downey and was elected in the fall of 1914 for a regular term of six years.

Dearborn county, the third county in the state to be organized, has had a long roster of eminent lawyers during its career of one hundred and thirteen years. Even before the name Indianapolis had ever been coined, there was a long list

of successful barristers practicing at Lawrenceburg, among them being Jesse B. Thomas, James Noble, William Hendricks, Jesse L. Holman, Amos Lane, Elijah Sparks, John Lawrence, Thomas Wardell, Daniel J. Caswell and Moses Hitchcock. This list of twelve lawyers contains one Governor, two United States senators, three congressmen, five Judges, and some of the lawyers held other positions as well. The three decades following 1820 saw a large number of lawyers practicing before the local bar, but they could hardly be compared to the group of the first two decades (1800-20). Among the leaders during this period from 1820 to 1850 were John Test, George H. Dunn, Daniel S. Major, James T. Brown, Horace Bassett, Arthur St. Clair Vance, Ezekiel Walker, Phillip L. Spooner, Edwin Piatt and Theodore and Carter Gazlay.

When the corner-stone of the present court house was laid, a list of all the lawyers practicing in the county was placed in a receptacle and sealed up, that future generations might have preserved for them the list of the men who attempted to preserve law and order in 1871. This list of Dearborn county lawyers of 1871 contained the following names: Daniel S. Major, William S. Holman, John D. Haynes, John Swartz, John K. Thompson, William W. Tilley, George B. Fitch, Noah S. Givan, Francis Adkinson, William H. Bainbridge, Omer F. Roberts, George M. Roberts, Elmer W. Adkinson, Hamilton Conaway, William H. Mathews, Isaac M. Dunn, Hugh D. McMullen, Oliver B. Liddell, Richard Gregg and George R. Brumblay.

TERRITORIAL JUDICIARY.

- March 7, 1803----- Judges of the Court of Common Pleas, General Quarter Sessions and Orphans Court: Benjamin Chambers, John Brownson, Jeremiah Hunt, Jabez Percival, Barnet Hulick and Richard Stevens.
- March 7, 1803----- Justices of the Peace: William Major and James McCarty.
- March 7, 1803----- Judge of Probate: John Brownson.
- August 30, 1803----- Justice of the Peace: Jonathan McCarty.
- September 8, 1804----- Justice of the General Quarter Sessions. William Cotton.
- December 14, 1805----- Judges of the Common Pleas: Benjamin Chambers, Barnet Hulick and William Major.
- April 11, 1806----- Justices of the Peace: Justus Gibbs, James Adair, Sr., Benjamin Drake, John Templeton and Richard Rue.

- July 19, 1806-----Justice of the Peace: James Adair, Sr.
 December 24, 1806-----Justices of the Peace: John Livingston and Samuel Fulton.
 August 22, 1807-----Justice of the Peace: Jonathan McCarty.
 September 14, 1807-----Justice of the Peace: Benjamin McPiatt.
 September 15, 1807-----Justice of the Peace: George Craig.
 December 2, 1807-----Justice of the Peace: William Wilson.
 March 17, 1808-----Justice of the Peace: Enoch McCarty.
 June 12, 1808-----Justices of the Peace: Thomas T. Gayness and Chambers Foster.
 January 16, 1809-----Justice of the Peace. David Hoover.
 March 16, 1809-----Justice of the Peace: John Clending.
 July 4, 1809-----Judge of the Court of Common Pleas: Jabez Percival, vice Barnet Hulick, resigned.
 October 21, 1809-----Justices of the Peace: Jeremiah Meeks, Jesse Davenport, John Ireland, Abraham Elliott, John Cox and Stanhope Rolster.
 April 10, 1810-----Justice of the Peace: Lewis Jones.
 June 13, 1810-----Justice of the Peace: William Dubois.
 July 3, 1810-----Justice of the Peace: William Ross, Sr.
 August 28, 1810-----Justice of the Peace: James Allen.
 December 14, 1810-----Judge of the Court of Common Pleas: Solomon Manwarring, vice Benjamin Chambers, resigned.
 December 14, 1810-----Prosecuting Attorney: James Dill, for the counties of Dearborn and Jefferson.
 March 4, 1811-----Justice of the Peace: Moses Wiley.
 May 28, 1811-----Prosecuting Attorney. Jesse L. Holman, vice James Dill, resigned.
 December 10, 1811-----Justices of the Peace: Timothy Davis, Amos Boardman and Ezekiel Jackson.
 March 17, 1812-----Justice of the Peace: Isaac Polk.
 February 18, 1813-----Justices of the Peace: William Caldwell and Daniel Lynn.
 September 11, 1813-----Justice of the Peace: Ezra Gard.
 January 6, 1814-----Judges of the Circuit court: William Major, first judge; Isaac Dunn, second judge; Solomon Manwarring, third judge.
 January 25, 1814-----Justices of the Peace: George Nichols and Alexander White.
 March 31, 1814-----Judge of the Circuit court: Roger Brown, third judge.
 September 3, 1814-----Justice of the Peace: John Walker.
 September 16, 1814-----Associate Judges of the Circuit court: William Major, first associate; Isaac Dunn, second associate.
 May 19, 1815-----Justices of the Peace: Levi Miller and Robert Miller.
 July 29, 1815-----Justice of the Peace. Spencer Wiley.

- July 31, 1815.....Justice of the Peace: John Dawson.
 March 7, 1816.....Justice of the Peace: James Blackhouse, William
 Purcell and Ezra Ferris.
 May 25, 1816.....Justice of the Peace: Charles L. Brasher.

ASSOCIATE JUDGES.

- John Livingston.....February 15, 1817, to serve seven years from date.
 Solomon Manwaring...February 14, 1817.
 Solomon Manwaring...August 28, 1823.
 John Livingston.....August 28, 1823.
 Isaac DunnSeptember 8, 1830, to serve seven years from Feb-
 ruary 14, 1831; resigned, May, 1837.
 George Kingsbury....August 14, 1837, vice Isaac Dunn, resigned.
 John McPike.....September 8, 1830, to serve seven years from Feb-
 ruary 14, 1831.
 Samuel H. Dowden....August 8, 1835, vice John McPike (resigned), to
 serve seven years from February 13, 1831.
 Alfred Z. Cotton.....August 14, 1837.
 John Livingston.....August 14, 1837.
 Jehu Emrie (Emery)...August 26, 1844, to serve seven years from Feb-
 ruary 14, 1845.
 David Conger.....August 26, 1844, to serve seven years from Feb-
 ruary 14, 1845.
 Richard Spickneil....August 26, 1851, to serve seven years from Feb-
 ruary 14, 1852.
 Bryant Connelly.....August 16, 1851, to serve seven years from Feb-
 ruary 14, 1852.

PROBATE JUDGES.

- George H. Dunn.....August 12, 1829.
 John Livingstone....August 15, 1831, resigned.
 John McPike.....June 23, 1837, appointed.
 John Palmer.....August 14, 1837, died. Certificate of death filed
 March 30, 1843.
 Theodore Gazley.....May 3, 1843, appointed, vice John Palmer, deceased.
 William S. Holman....August 21, 1843.
 Alfred Z. Cotton.....April 13, 1847, vice William S. Holman, resigned.
 Alfred Z. Cotton.....August 21, 1847, to serve seven years from date.

COMMON PLEAS JUDGES.

- William S. Holman....1852-56.
 Jeremiah Bundy.....1856-60.
 Francis Adkinson....1860-64.
 Robert N. Lamb.....1864-68.
 Scott Carter.....1868-73.

DISTRICT PROSECUTING ATTORNEYS.

- Charles N. Shook....1852-54.
 Horace A. Mayhew....1854-56.

Isaac H. Carabaugh---1856-58, resigned.
 Robert O. Terrill-----Appointed January 23, 1858-59, resigned.
 Greene Durbin-----Appointed May 16, 1859.
 William S. Schryver---1859-60.
 John Barber-----1860-62.
 Solon Russell-----1862-64.
 William D. Wilson-----1864-66.
 Albert B. Goden-----1866-67.
 William P. Adkinson--Appointed December 7, 1867-68.
 Hugh D. McMullen-----1868-70.
 Isaac M. Dunn-----1870-73.

PRESIDENT JUDGES.

John Test-----December 18, 1816-January 2, 1819, resigned. Third circuit.
 Alexander O. Meek----Appointed January 2, 1819-February 2, 1819.
 John Watts-----February 2, 1819-January 21, 1820.
 Miles C. Eggleston----January 21, 1820-December 18, 1844.
 Courtland Cushing----December 18, 1844-January 15, 1847. The act of January 15, 1847, put Dearborn in the Thirteenth.
 George H. Dunn-----January 21, 1847-January 24, 1850.
 William M. McCarty---January 24, 1850-October 12, 1852.

CIRCUIT JUDGES.

William H. McCarty---October 12, 1852; resigned July 29, 1853. Fourth circuit.
 Reuben D. Logan-----Appointed August 10, 1853-October 12, 1865.
 Jeremiah M. Wilson---October 12, 1865-April 22, 1869. The act of April 22, 1869, put Dearborn in the newly created Twenty-sixth.
 Robert N. Lamb-----Appointed April 28, 1869-October 24, 1870.
 Henry C. Hanna-----October 24, 1870-March 6, 1873. The act of March 6, 1873, put Dearborn in the Seventh.
 Omar F. Roberts-----Appointed March 29, 1873-October 21, 1879.
 Noah S. Givan-----October 21, 1879-October 21, 1885.
 William H. Bainbridge--October 21, 1885-October 21, 1891. The act of February 4, 1891, added Switzerland to the Seventh.
 Alexander C. Downey---October 21, 1891-October 21, 1897. The act of February 24, 1897, made Dearborn and Ohio the only counties in the Seventh, where they have since remained.
 Noah S. Givan-----October 21, 1897-October 21, 1903.
 George E. Downey-----October 21, 1903; resigned in May, 1913.
 Warren N. Hauck-----Appointed May 10, 1913; term expires November 17, 1920.

PROSECUTING ATTORNEYS.

- Oliver H. Smith..... August 9, 1824-August 1, 1826. Third circuit.
 Amos Lane..... August 1, 1826-December 30, 1826.
 Cyrus Finch..... December 30, 1826-December 30, 1828.
 M. M. Ray..... December 30, 1828-January 25, 1830.
 James F. D. Lanier.... January 25, 1830-January 25, 1832.
 John M. Johnson..... January 25, 1832-February 21, 1833, resigned.
 John Test..... Appointed February 21, 1833-December 5, 1833.
 Courtland Cushing.... December 5, 1833-December 11, 1837.
 John Dumont..... December 11, 1837-December 15, 1841.
 George Robinson December 15, 1841-May 18, 1842, died.
 John Dumont..... Appointed May 18, 1842-January 15, 1847. The
 act of January 15, 1847, put Dearborn in the
 Thirteenth.
 Benjamin I. Spooner... Appointed August 19, 1851-October 12, 1852.
 Oscar B. Hord..... October 12, 1852-November 2, 1854, resigned.
 Fourth circuit.
 William Patterson.... November 2, 1854-August 13, 1858, resigned.
 Sebastian Green..... Appointed August 13, 1858-November 2, 1858.
 Henry C. Hanna..... November 2, 1858-November 2, 1860.
 Milton H. Cullum..... November 2, 1860-November 3, 1862.
 Samuel S. Harrell.... November 3, 1862-November 3, 1864.
 Creighton Daudy..... November 3, 1864-November 3, 1866.
 Kendall M. Hord..... November 3, 1866-November 3, 1868.
 Platt Wicks..... November 3, 1868-April 22, 1869. The act of April
 22, 1869, put Dearborn in the Twenty-sixth.
 William Wirt Kelley... Appointed April 28, 1869-October 24, 1870.
 George R. Brumblay... October 24, 1870-October 26, 1878. The act of
 March 6, 1873, put Dearborn in the Seventh, and
 transferred Brumblay from the Twenty-sixth to
 the Seventh.
 Addison Williams..... October 26, 1878; died in office December 21, 1878.
 Rodman S. Davis..... Appointed December 31, 1878-November 17, 1882.
 Robert E. Stahr..... November 17, 1882-November 17, 1886.
 Edward H. McGrew... November 17, 1886-November 17, 1888.
 Rodman S. Davis..... November 17, 1888-November 17, 1896.
 Harry R. McMullen... November 17, 1896-January 1, 1903.
 Theodore J. Wulber... January 1, 1903-January 1, 1905.
 Frank B. Johnson.... January 1, 1905-January 1, 1907.
 John N. Russe..... January 1, 1907-January 1, 1915.
 Willard M. Dean..... January 1, 1915; term expires January 1, 1917.

DECATUR COUNTY.

Decatur county was organized by an act of the Legislature, approved December 31, 1821, the act becoming effective on March 4, 1822. Greensburg was chosen as the county seat without any opposition. It received its name, so tradition states, at the request of Mrs. Thomas Hendricks, who wanted it so called in honor of her old home in Pennsylvania. When the question of naming the county seat was brought up, Mrs. Hendricks told the commissioners of her desire to have it called Greensburg. It was proposed to leave the question to a vote of seventeen young men, who had settled in the unnamed village. This settled the question, for Mrs. Hendricks had four charming daughters—and the young men were all unmarried. The first court met on April 9, 1822, with W. W. Wick as President Judge and Martin Adkins and John Fugit as Associate Judges.

On the first day of the court three lawyers were admitted to the bar, Thomas Douglass, Joseph A. Hopkins and Seth Tucker. The only other business transacted at this first session was the swearing in of the county clerk and the appointment of Joseph Hopkins as prosecuting attorney. Hopkins was not able to conform to the customs of civilization and soon left the county. He had previously practiced in Kentucky and it seems that he had left there because of some infraction of the moral code.

Decatur county was in four different Judicial circuits from the time it was organized in 1822 until the new Constitution became operative in 1852. When it was organized it was attached to the Fifth circuit and during the time it was in this circuit William W. Wick and B. F. Morris were the President Judges. When the county was put in the Third circuit by the act of January 20, 1830, Miles C. Eggleston became the President Judge. Judge Eggleston had been on the bench since 1820 and continued to preside in the Third circuit until 1844. However, the act of February 13, 1840, took Decatur out of the Third circuit and placed it in the Sixth, James Perry, of Wayne county, becoming the President Judge. He was followed in January, 1844, by Jehu T. Elliott, who sat on the

bench of the Sixth until the act of January 14, 1847, made Decatur one of the counties of the newly organized Thirteenth circuit. George H. Dunn was appointed as a first Judge of the new circuit and he remained on the bench until January, 1850, when William M. McCarty, of Brookville, was selected by the Legislature as his successor. Judge McCarty served until October 12, 1852, under the 1816 Constitution and was elected as a first Judge of the Fourth circuit under the 1852 Constitution.

Judge McCarty resigned July 29, 1853, and the Governor appointed William S. Holman on that date to fill out his unexpired term. Judge Holman resigned on the 10th of the following month without having held a term of court in any one of the counties of the Fourth circuit. The Governor immediately appointed Reuben D. Logan, who served by appointment and subsequent election until October 12, 1865. He was succeeded by Jeremiah M. Wilson for a full term of six years. William A. Cullen took the bench, October 21, 1871, and served until October 24, 1876. During his term of office the act of March 6, 1873, placed Decatur in the Eighth circuit with Fayette and Rush, and transferred Cullen from the Fourth to the Eighth. Samuel A. Bonner, who succeeded Judge Cullen, served two terms, being followed by John W. Study in October, 1888. Judge Study died in office, January 13, 1893. Four days after his death the Governor appointed James K. Ewing to fill out his unexpired term, or until November 13, 1894. John D. Miller was elected in the fall of 1894 for the regular six-year term, but died in office March 18, 1898. David A. Myers was appointed March 31, 1898, to serve until the succeeding November election. At that time Douglas A. Morris was elected Judge of the circuit, but served only about a year as Circuit Judge of Decatur county. The act of February 28, 1899, united Decatur and Bartholomew in the Ninth circuit, the act to take effect November 17, 1899. On that date Francis T. Hord became Judge of the reorganized Ninth circuit, having been on the bench of the old Ninth since November 19, 1892. Marshall Hacker succeeded Judge Hord in November, 1904, and served his full term of six years. The present

Judge, Hugh Wickens, took the bench November 19, 1910. Of the Judges since 1852, Bonner, Study, Ewing, Miller, Myers and Wickens have been residents of Decatur county.

A volume might easily be written concerning the lawyers who have practiced at the local bar during the past ninety years. Mention has already been made of the first lawyers admitted to the bar in 1822. James T. Brown, who was admitted to the bar at the second session of the court, practiced in Decatur county for several years and later located at Lawrenceburg, where he was living at the time of his death. He was the leading lawyer in Greensburg for many years and was identified with almost every case of importance that was tried while he was a resident of the county.

The next lawyer of more than ordinary ability to be admitted to the bar was Andrew Davison, who was a resident of Greensburg from 1825 until his death in 1871. He was one of the first Judges of the Supreme court elected in 1852, and by re-election served from January 3, 1853, to January 3, 1865. After his defeat for a third term in 1864, he returned to Greensburg, but for some reason never again practiced law.

Other prominent attorneys who practiced law in the county prior to the Civil War were: Martin Jamison, who served in the Legislature in 1839; Joseph Robison, who was a candidate for Congress on the Whig ticket in 1851; John L. Robinson, who could neither read nor write until he was married, and yet became a successful lawyer and served in Congress from 1847 to 1853; John S. Scobey, who settled at Greensburg in 1845, became a prominent lawyer, served as prosecutor, state senator, presidential elector and became a lieutenant-colonel in the Civil War; Barton W. Wilson, who located in Greensburg in 1848 and was one of the most public spirited citizens of the city, a fact which accounts for the naming of the first fire engine in his honor. Other attorneys of the local bar became prominent, but space does not permit an extensive mention of all of them.

Since the Civil War the bar has been no less prolific in producing distinguished members. The names of such men as James Gavin, Oscar B. Hord, Charles F. Parrish, James

Cloverdill, Ira G. Grover, Cortez Ewing, J. K. Ewing, Marine D. Tackett, John L. Bracken, William H. Goddard, W. A. Moore, David Wilson and Christopher Shane are only a few of the lawyers who have attained more than a local reputation at the bar. Probably the most distinguished member of the Greensburg bar was Will Cumback, who became a national figure before his death in 1905. He was elected to Congress in 1854, when he was only twenty-five years of age, defeating William S. Holman. He served throughout the Civil War, enlisting as a private and rising to the rank of lieutenant-colonel. He served in the State Senate in 1866, was president of the Senate from 1867 to 1869, and was Lieutenant-Governor from 1869 to 1872. President Grant offered him the appointment as minister to Portugal in 1871, but he declined and instead accepted an appointment as collector of internal revenue, a position which he held for twelve years. From that time until his death he spent much of his time on the lecture platform.

ASSOCIATE JUDGES.

John Fugit.....	March 26, 1822.
Martin Adkins.....	April 1, 1822.
Benjamin Antrobus.....	August 24, 1828, to serve seven years from April 1, 1829; died.
James Elder.....	December 23, 1831, vice Benjamin Antrobus (deceased), to serve seven years from April 1, 1829.
John Bryson.....	August 24, 1828, to serve seven years from April 1, 1836.
Zachariah Garton.....	August 25, 1835, to serve seven years from April 1, 1836; resigned.
John Thompson.....	August 17, 1838, vice Zachariah Garton, resigned; resigned, July, 1841.
John Hopkins.....	August 7, 1841, to serve until April 1, 1843.
John Hopkins.....	August 13, 1842, to serve seven years from April 1, 1843.
Samuel Ellis.....	August 13, 1842, to serve seven years from April 1, 1843.
Samuel Ellis.....	August 24, 1849, to serve seven years from April 1, 1850.
Richard C. Talbott.....	August 24, 1849, to serve seven years from April 1, 1850; resignation filed May 1, 1850.
Benjamin Randall.....	August 19, 1850, to serve seven years from April 1, 1850.

PROBATE JUDGES.

- Angus C. McCoy-----August 12, 1829.
 Angus C. McCoy-----August 14, 1836, to serve seven years from August
 19, 1836.
 John Thompson-----August 19, 1843, to serve seven years from August
 19, 1843.
 Royal P. Cobb-----August 29, 1850, to serve seven years from date.

COMMON PLEAS JUDGES.

- Royal P. Cobb-----1852-56.
 Samuel A. Bonner-----1856-60.
 William Grose-----1860-61, resigned.
 Eljah B. Martindale___Appointed August 31, 1861-October 18, 1861.
 David S. Gooding-----1861; resigned September 10, 1864.
 William R. West-----Appointed September 12, 1864-67.
 William A. Cullen-----1867-70.
 William A. Moore-----1870-73.

DISTRICT PROSECUTING ATTORNEYS.

- Morris I. Williams-----1852-54.
 Lewis W. Thomas-----1854-55, died in office.
 George H. Look-----Appointed October 1, 1855-56.
 Thomas C. Gilpin-----1856-58.
 Platt Wicks-----1858-60.
 William R. Hough-----1860-62.
 Daniel W. Comstock___1862-64.
 James D. Martindale___1864-66.
 Calvin D. Thompson___1866-67, resigned. (By act of February 26, 1867,
 Decatur was put in Twenty-second district.)
 Hugh M. Spaulding___Appointed March 8, 1867-70, resigned.
 A. Smith Folzer-----Appointed April 16, 1870.
 Elias R. Montfort-----1870-72.
 Adam Stockinger-----1872-73.

PRESIDENT JUDGES.

- William W. Wick-----March 4, 1822-January 13, 1825, resigned. Fifth
 circuit.
 Bethuel F. Morris-----Appointed January 13, 1825-January 20, 1830. The
 act of January 20, 1830, put Decatur in the Third.
 Miles C. Eggleston-----January 20, 1830-February 13, 1840. The act of
 February 13, 1840, put Decatur in the Sixth.
 James Perry-----February 13, 1840-January 23, 1844.
 Jehu T. Elliott-----January 23, 1844-January 15, 1847. The act of
 January 15, 1847, put Decatur in the Thirteenth.
 George H. Dunn-----Appointed January 21, 1847-January 24, 1850.
 William M. McCarty___January 24, 1850-October 12, 1852.

CIRCUIT JUDGES.

- William M. McCarty---October 12, 1852; resigned July 29, 1853. Fourth circuit.
- William S. Holman-----Appointed July 29, 1853; resigned August 10, 1853.
- Reuben D. Logan-----Appointed August 10, 1853-October 12, 1865.
- Jeremiah M. Wilson---October 12, 1865-October 21, 1871.
- William A. Cullen-----October 21, 1871-October 24, 1876. The act of March 6, 1873, put Decatur in the Eighth, and transferred Cullen from the Fourth to the Eighth.
- Samuel A. Bonner-----October 24, 1876-October 24, 1888.
- John W. Study-----October 24, 1888; died in office January 13, 1893.
- James K. Ewing-----Appointed January 17, 1893-November 13, 1894.
- John D. Miller-----November 13, 1894; died in office March 18, 1898.
- David A. Myers-----Appointed March 31, 1898-November 21, 1898.
- Douglas A. Morris-----November 21, 1898-November 17, 1899. The act of February 28, 1899, put Decatur with Bartholomew in the Ninth, where they have since remained, the act taking effect November 17, 1899.
- Francis T. Hord-----November 17, 1899-November 18, 1904. Judge Hord had been on the bench of the Ninth since November 19, 1892.
- Marshall Hacker-----November 19, 1904-November 19, 1916.
- Hugh Wickens-----November 19, 1916; term expires November 19, 1916.

PROSECUTING ATTORNEYS.

- Harvey Gregg-----August 9, 1824-August 9, 1825. Fifth circuit.
- Calvin Fletcher-----August 9, 1825-August 14, 1826.
- James Whitcomb-----August 14, 1826-January 14, 1829.
- W. W. Wick-----January 14, 1829-January 30, 1830. The act of January 20, 1830, put Decatur in the Third.
- James F. D. Lanier---January 25, 1830-January 25, 1832.
- John M. Johnson-----January 25, 1832-February 21, 1833, resigned.
- John Test-----Appointed February 21, 1833-December 5, 1833.
- Courtland Cushing---December 5, 1833-December 11, 1837.
- John Dumont-----December 11, 1837-February 13, 1840. The act of February 13, 1840, put Decatur in the Sixth.
- Martin M. Ray-----December 11, 1840-December 15, 1842.
- Jehu T. Elliott-----December 15, 1842; resigned, January 23, 1844.
- Samuel E. Perkins---January 23, 1844-August 20, 1844.
- Jacob B. Julian-----August 20, 1844-August 27, 1846.
- John B. Still-----August 27, 1846-January 15, 1847. The act of January 15, 1847, put Decatur in the Thirteenth.
- Benjamin I. Spooner---Appointed August 19, 1851-October 12, 1852.
- Oscar B. Hord-----October 12, 1852; resigned, August 1, 1854, to take effect November 2, 1854. Fourth circuit.
- William Patterson---November 2, 1854-August 13, 1858, resigned.

Sebastian Green.....	Appointed August 13, 1858-November 2, 1858.
Henry C. Hanna.....	November 2, 1858-November 2, 1860.
Milton H. Cullum.....	November 2, 1860-November 3, 1862.
Samuel S. Harrell.....	November 3, 1862-November 3, 1864.
Creighton Dandy.....	November 3, 1864-November 3, 1866.
Keudall M. Hord.....	November 3, 1866-November 3, 1868.
Platt Wicks.....	November 3, 1868-July 1, 1869.
Alexander M. Campbell.....	Appointed July 1, 1869-October 21, 1872.
Elias R. Montford.....	October 21, 1872-March 6, 1873. The act of March 6, 1873, put Decatur in the Eighth.
Robert B. F. Peirce.....	March 6, 1873-October 26, 1874.
Orlando B. Scobey.....	October 26, 1874-October 26, 1878.
John L. Bracken.....	October 26, 1878-October 26, 1880.
Richard A. Durnan.....	October 26, 1880-January 22, 1881, resigned.
Marine D. Tackett.....	January 22, 1881-November 17, 1886.
George W. Campbell.....	November 17, 1886-November 17, 1890.
D. A. Myers.....	November 17, 1890-November 17, 1894.
George W. Young.....	November 17, 1894-November 17, 1896.
Elmer E. Roland.....	November 17, 1896-November 17, 1899. The act of February 28, 1899, put Decatur in the Ninth, where it has since remained. Act did not take effect until November 17, 1899.
John L. Davis.....	November 17, 1899-January 1, 1901.
Thomas L. Creath.....	January 1, 1901-January 1, 1903.
John W. Craig.....	January 1, 1903-January 1, 1907.
Albert W. Phillips.....	January 1, 1907-January 1, 1909.
William V. O'Donnell.....	January 1, 1909-January 1, 1911.
Ralph H. Spaugh.....	January 1, 1911-January 1, 1913.
Lewis A. Harding.....	January 1, 1913; term expires January 1, 1917.

DEKALB COUNTY.

Dekalb county was organized by an act of the General Assembly, approved February 2, 1837. After the organization of the county the competition for the location of a county seat became very bitter. Rogers and Hamilton, on one side, and Park and Howe, on the other, led the contending forces. The former faction purchased land and laid out a town site, which they called Centerville. The site laid out by Park and Howe was on the west bank of Cedar creek, two miles south and three miles west of the center of the new county. The latter location was the most favorable and, when Littlefield, of Lagrange, Gilmore, of Steuben, and Robert Work, of Allen, the commissioners appointed to select the

site of the new county seat, met, Auburn was promptly chosen. Centerville passed to its death soon afterwards.

The first session of court in Dekalb county was held at the cabin of Wesley Park. A school house was afterward erected, and for a time court was held in this building. A dilapidated stove supplied heat and a rough platform of boards was built at one end which served as the "bar." In 1840 the county officials determined to build a new court house on the public square. The work on the construction of the new court house was begun in 1842, the contract having been undertaken by James Hite, a carpenter, for eight hundred dollars. On April 29, 1844, the first session of court was held in the new structure.

On June 4, 1863, a contract for the erection of the second court house was awarded for a consideration of twenty-three thousand, three hundred and seventy-two dollars, and this building was completed near the close of 1864. In 1911 the third and last court house was completed in DeKalb county. The contract was let on May 4, 1911, at a price of one hundred eighty-five thousand, seven hundred and fifty-seven dollars. The corner stone was laid with fitting ceremonies on July 17, 1911, and Thomas R. Marshall, then Governor of the state, and now Vice-President of the United States, delivered the dedicatory address.

The first Judge of the Dekalb Circuit court was Charles W. Ewing, who was elected by the Legislature in 1836, and resigned in 1839. Upon Judge Ewing's resignation, Governor Wallace appointed Henry Chase, of Logansport. When the Legislature of 1839 convened, John W. Wright, of Logansport, was chosen as the successor of Judge Chase. Upon the change of the circuit in 1841, when Dekalb county became a part of the Twelfth circuit, James W. Borden, of Fort Wayne, was chosen President Judge. Judge Borden served as Presiding Judge of the Twelfth circuit until 1851, when he was succeeded by E. A. McMahan, of Fort Wayne. Judge McMahan was succeeded in 1855 by James L. Worden, of Fort Wayne, who resigned in January, 1858. He was succeeded by Reuben J. Dawson (January 18, 1858-October 26, 1858). Judge Dawson was succeeded by Edward R. Wilson, of Ft.

Wayne. Judge Wilson was succeeded in 1864 by Robert Lowry, who then lived at Goshen, but who afterwards removed to Ft. Wayne, where, for many years, he presided as Judge of the Allen Superior court, and from which he retired to represent the Twelfth district in Congress during the forty-ninth and fiftieth sessions (1885-1889). Judge Lowry was succeeded in 1867 by Hiram S. Tousley, who served until 1872. James I. Best (1872-76), of Waterloo, was on the bench when the act of March 6, 1873, placed Dekalb county in the Thirty-fifth circuit, Judge Best being transferred to the new circuit. The latter was followed by Joseph A. Woodhull, of Angola, who served until October 26, 1876. Hiram S. Tousley served for a second time from 1876 to 1879, at which latter date Charles A. O. McClellan, of Waterloo, was appointed to fill the bench of the temporary Fortieth circuit, composed of Dekalb and Steuben.. He was followed by Robert W. McBride, of Waterloo, who served until 1888, when Stephen A. Powers was elected Judge of the court. Judge Powers served until 1894, and was followed in office by William L. Penfield, of Auburn, who resigned (June 3, 1897) to accept a position as solicitor in the department of state at Washington, D. C. Frank S. Roby, of Auburn, was appointed to fill the vacancy caused by the resignation of Judge Penfield, and he served until the next election, when Ezra D. Hartman, of Auburn, was elected. Judge Hartman died in office in May, 1903. He was followed upon the bench by James P. Rose, of Auburn, who served until the next election. Emmet A. Bratton, of Angola, was elected Judge in 1904, and served until 1910, when Frank M. Powers, of Angola, was elected Judge of the court. Judge Powers served until his election as a Judge of the Appellate court in 1914, when he was succeeded by Dan M. Link, the present incumbent, who was at that time a member of the state board of tax commissioners.

The roster of the Dekalb county bar contains the names of many men who rank high at the bar and upon the bench of the state. Among these may be mentioned Judge Egbert DeMotte, of Auburn, who served on the Common Pleas bench; Timothy R. Dickinson, of Auburn, who afterwards removed to Waterloo; John Morris, of Auburn, who afterwards moved

to Ft. Wayne, and served as Judge of the Common Pleas court, and as Supreme court commissioner from 1881 to 1883; Abner F. Pinchin, of Hamilton, who resided at Butler during the early years of his practice, served as district attorney; Judge James I. Best, of Waterloo, served as Supreme court commissioner from 1881 to 1885; Charles A. O. McClellan, of Waterloo and Auburn, who served as Judge of the temporary Fortieth circuit (1879-80), represented the Twelfth Indiana district in Congress during the fifty-first and fifty-second sessions, from 1889 to 1893; Judge McBride, of Waterloo, served on the Supreme bench of Indiana from December 17, 1890, until 1892, and finally settled at Indianapolis, where he is now engaged in the practice of law; Judge William L. Penfield, of Auburn, resigned from the bench to accept a position as solicitor in the department of state at Washington; Judge Frank S. Roby, who served a short term as Judge of the Dekalb Circuit court, was appointed a member of the Appellate court of Indiana in 1901, and served continuously until 1911, and is now engaged in the practice of law in Indianapolis.

ASSOCIATE JUDGES.

Ariel Waldern -----August 3, 1837.
 Thomas L. Yates.....August 3, 1837; removed from county, October, 1838.
 Nelson Payne -----March 6, 1839 (special election).
 Nelson Payne -----August 23, 1843, to serve seven years from August 3, 1844; resigned June, 1848.
 Samuel Widney -----August 23, 1843, to serve seven years from August 3, 1844.
 Robert Work -----September 9, 1848 (special election), vice Nelson Payne, resigned. Work's resignation filed August 29, 1850. Robert Work's term was to expire August 3, 1851.
 David Martin -----October 8, 1850, to fill Robert Work's unexpired term, ending August 3, 1851.
 Gillman E. Mudgett...August 27, 1850, to serve seven years from August 3, 1851.
 Abraham Cope -----August 27, 1850, to serve seven years from August 3, 1851.

PROBATE JUDGES.

Lot Herrick -----August 25, 1839.
 John C. Wade.....August 26, 1846.

COMMON PLEAS JUDGES.

John Morris -----1852-56.
 Egbert De Motte-----1856-60.
 William M. Clapp-----1860-73.

DISTRICT PROSECUTING ATTORNEYS.

W. W. Griswold-----1852-54. resigned.
 Asa M. Tinker-----Appointed November 9, 1854-56.
 William H. Dills-----1856-58.
 Abner F. Pinchin-----1858-60.
 George W. Ammings----1860-62.
 (or Cummings)
 Lewis Covill -----1862-64.
 Asa M. Tinker -----1864-66.
 Joseph D. Ferrall-----1866-68.
 Joseph L. Morlan-----1868-73.

PRESIDENT JUDGES.

Charles W. Ewing---- May 1, 1837-September 1, 1839, resigned. Eighth circuit.
 Henry Chase -----Appointed September 1, 1839-December 15, 1839.
 John W. Wright-----December 15, 1839-December 15, 1841. The act of December 14, 1841, put Dekalb in the Twelfth.
 James W. Borden-----December 15, 1841; resigned July 31, 1851.
 Elza A. McMahon-----Appointed July 31, 1851-October 12, 1852.

CIRCUIT JUDGES.

Elza A. McMahon-----October 12, 1852; resigned August 15, 1855. Tenth circuit.
 James L. Worden-----Appointed August 15, 1855; resigned January 18, 1858.
 Reuben J. Dawson----Appointed January 18, 1858-October 26, 1858.
 Edward R. Wilson----October 26, 1858-October 26, 1864.
 Robert R. Lowry-----October 26, 1864-February 20, 1867. The act of February 20, 1867, put Dekalb in the newly created Fourteenth.
 Hiram S. Tonsley-----Appointed February 28, 1867-October 30, 1872.
 James I. Best-----October 30, 1872; resigned September 1, 1876. The act of March 6, 1873, put Dekalb in the newly created Thirty-fifth, and transferred Best from the Fourteenth to the Thirty-fifth.
 Joseph A. Woodhull---Appointed September 1, 1876-October 24, 1876.
 Hiram Tonsley -----October 24, 1876-March 21, 1879.
 Charles A. O. McClellan March 21, 1879-October 1, 1880. The act of March 21, 1879, divided the Thirty-fifth circuit, composed of Steuben, Dekalb and Noble, into two circuits—Noble being left as the sole county in the Thirty-fifth and Steuben and Dekalb being consti-

tuted the newly created Fortieth. This was done because of the large number of cases on the docket of the old Thirty-fifth. The act further provided that the Fortieth was to be dissolved on October 1, 1880, and the two counties composing it should again become a part of the Thirty-fifth.

- Hiram Tousley ----- October 1, 1880-November 16, 1882.
 Robert W. McBride----- November 16, 1882-November 16, 1888.
 Stephen A. Powers----- November 16, 1888-November 16, 1894. The act of March 1, 1889, made Dekalb and Steuben the only counties in the Thirty-fifth, where they have since remained.
 William L. Penfield--- November 16, 1894; resigned June 3, 1897.
 Frank S. Roby----- Appointed June 4, 1897-November 8, 1898.
 Ezra D. Hartman----- November 8, 1898; died in office in May, 1903.
 James D. Rose----- Appointed in May, 1903-November 17, 1904.
 Emmet A. Bratton----- November 17, 1904-November 18, 1910.
 Frank M. Powers----- November 18, 1910; resigned December 18, 1914, to become Appellate Judge.
 Daniel M. Link----- Appointed December 18, 1914; term expires November 18, 1916.

PROSECUTING ATTORNEYS.

- Thomas Johnson ----- May 1, 1837-December 3, 1838. Eighth circuit.
 John W. Wright----- December 3, 1838-December 5, 1839.
 Lucian P. Ferry----- December 5, 1839-December 14, 1841. The act of December 14, 1841, put Dekalb in the Twelfth.
 William H. Coombs----- December 14, 1841-December 14, 1843; resigned October 30, 1843.
 Robert L. Douglas----- December 14, 1843-September 19, 1845.
 Elza A. McMahon----- September 19, 1845-September 19, 1847.
 James L. Worden----- August 28, 1851-October 12, 1852.
 John M. Connell----- October 12, 1852-January 27, 1853. Tenth circuit.
 Joseph Brackenridge --- Appointed January 27, 1853; refused to accept office.
 James L. Worden----- Appointed February 17, 1853; resigned February 1, 1854.
 E. R. Wilson----- Appointed February 1, 1854; resigned August 1, 1856.
 Sanford J. Stoughton--- Appointed August 20, 1856-December 6, 1858.
 James M. Defrees----- December 6, 1858; died in May, 1859.
 John Colerick----- Appointed May 10, 1859-October 26, 1860.
 Augustus A. Chapin--- October 26, 1860-November 3, 1862.
 James H. Schell----- November 3, 1862-November 3, 1866.
 Thomas W. Wilson----- November 3, 1866-February 20, 1867. The act of February 20, 1867, put Dekalb in the Fourteenth.
 James H. Carpenter--- Appointed March 7, 1867-October 30, 1867.

- Ezra D. Hartman-----October 30, 1867-October 24, 1870.
 James McGrew -----October 24, 1870-May 30, 1872.
 Leigh H. Haymond----Appointed May 20, 1872-October 28, 1873. The act of March 6, 1873, put Dekalb in the Thirty-fifth, and transferred Haymond from the Fourteenth to the Thirty-fifth.
 W. B. McConnell-----October 28, 1873-October 28, 1877.
 John W. Bixler-----October 28, 1877-October 28, 1879.
 George B. Adams-----October 28, 1879-October 28, 1881. The act of March 21, 1879, made Steuben and Dekalb the Fortieth, to continue only until October 1, 1880, when they were again to become a part of the Thirty-fifth.
 Henry C. Peterson----October 28, 1881-October 28, 1887.
 Emmet A. Braitton----October 28, 1887-October 28, 1891.
 Joseph Butler -----October 28, 1891-October 28, 1895.
 A. E. Davis-----October 28, 1895-October 28, 1897.
 Willis Rhoads -----October 28, 1897-January 1, 1902.
 Frank S. Wellsheimer, January 1, 1902-January 1, 1906.
 Charles S. Smith-----January 1, 1906-January 1, 1910.
 Hubert E. Hartman---January 1, 1910-January 1, 1914.
 James R. Nyce-----January 1, 1914; term expires January 1, 1918.

 DELAWARE COUNTY.

Delaware county was created by the legislative act of January 20, 1820, but it was not really organized until January 26, 1827. The first act provided for the division of all of the territory secured from the Indians in October, 1818, into two counties, approximately equal in size, the eastern half to be known as Delaware county and the western half as Wabash county. No organization was effected at first in either one of these two counties, nor was any contemplated by the act of 1820. It was necessary to organize this territory in some manner in order to provide protection for the few settlers who had already made their homes within it. The Delaware county of 1820 included all or parts of sixteen counties as now constituted.

By 1827 twenty counties had been organized out of the Delaware and Wabash counties of 1820. The act of January 20, 1827, provided for the definite organization of Delaware county, with all the rights and privileges of an independent county from and after the first of the following April. The

locating commissioners placed the county seat of the new county on the present site and called it Muncietown. On the early maps of the state the town was variously called Muncy town, Munseytown, Muncie Town and Muncietown. It took a legislative act to remove the final syllable, the act of January 13, 1845, changing its name to Muncie.

The first Circuit court in Delaware county was held at the home of a man by the name of Gilbert, on May 19, 1828. Miles C. Eggleston was the President Judge of the circuit and John Rees and Lewis Rees, brothers, were Associate Judges. Martin M. Ray was the prosecuting attorney of this circuit, but he was not present at the first session.

When Delaware county was organized in 1827 it was placed in the Third circuit, over which Miles C. Eggleston was then presiding, and he continued as President Judge until the act of January 20, 1830, took Delaware out of the Third and placed it in the newly organized Sixth circuit, which also included the counties of Allen, Randolph, Henry, Wayne, Union, Fayette, Rush and Elkhart. On January 23, 1830, the Legislature elected Charles H. Test as the first Judge of this new circuit. He resigned in December, 1835, and in January, 1836, the Legislature selected Samuel Bigger, but he resigned a year later. In January, 1837, James Perry came upon the bench of the Sixth circuit and was presiding when the act of January 28, 1839, placed Delaware in the newly organized Eleventh circuit. As the first Judge of this new circuit the Legislature elected Morrison Rulon, but he failed to qualify and the Governor appointed David Kilgore March 1, 1839. Judge Kilgore served for the full term of seven years, being followed by Jeremiah Smith in January, 1846. Judge Smith served until the new Constitution went into operation, October 12, 1852.

Delaware county was attached to the Seventh circuit in 1852 and remained in this circuit until March 6, 1873, when it was placed in the Twenty-fifth with Randolph. During this period of twenty years three Judges sat on the bench in Delaware county: Joseph Anthony, 1852-58; Joseph S. Buckles, 1858-70; Joshua H. Mellett, 1870-73. Of these three Judges, Anthony was the only one who was a resident of

Delaware county. He was an illiterate, paralytic, tavern keeper of Muncie, and it is hard to conceive at the present time how the voters of the circuit came to select such a man to preside over their courts. A large majority of the lawyers refused to try cases before him and had them continued from term to term with the hope that he would resign. When they found that he was going to serve his term out the lawyers in other counties prevailed upon the Legislature to organize a new circuit or attach their counties to some circuit already organized. In fact, two years later the Legislature, by the act of February 9, 1855, restricted his jurisdiction to his own county and Blackford; Henry, Wayne, Randolph and Jay were detached from the Seventh and organized as the new Thirteenth. Judge Anthony went off the bench in the fall of 1858, and the Legislature of that winter reorganized the Seventh circuit to be composed of the counties of Delaware, Blackford, Hancock, Madison, Hamilton, Tipton and Howard.

When Delaware was united with Randolph in the Twenty-fifth circuit in 1873 Governor Hendricks appointed John J. Cheney as the first Judge of the new circuit to serve until the fall election of the same year. At that time Silas Colgrove was elected and served for a full term of six years, being followed by Leander J. Monks of Randolph county, who was on the bench when the act of March 5, 1885, divided the Twenty-fifth, leaving Randolph as the sole county of the Twenty-fifth and constituting Delaware as the Forty-sixth circuit. On the date the act was passed Governor Gray appointed Orlando J. Lotz as the first Judge of the new Forty-sixth. He was elected in the fall of 1886 and served until 1892. George H. Koons then came on the bench for a six-year term, being followed by Joseph G. Leffler, who served until 1910. The present incumbent, Frank Ellis, took the bench November 15, 1910.

ASSOCIATE JUDGES.

John Rees.....	August 22, 1827; resigned, June, 1830.
Lewis Rees.....	August 22, 1827; resigned, June, 1830.
John Tomlinson.....	August 9, 1830 (special election), to serve seven years from August 22, 1827.
Samuel McCulloch.....	August 9, 1830 (special election), to serve seven years from August 22, 1827.
William McCormick....	August 12, 1834.

William Van Matre	August 12, 1834; resigned, July 5, 1836.
Eleazer Coffin	August 10, 1836 (special election), to serve seven years from August 22, 1834, to succeed William Van Matre.
John Richey	August 10, 1839, vice Eleazer Coffin, resigned.
John Richey	August 9, 1841, to serve seven years from August 22, 1841.
John Brady	August 9, 1841, to serve seven years from August 22, 1841.
John A. Gilbert	August 18, 1848, to serve seven years from August 22, 1848.
John Brady	August 18, 1848, to serve seven years from August 22, 1848.

PROBATE JUDGES.

From the time the Probate court was established in Delaware county until it was abolished in 1852 there were only two Judges who occupied the Probate bench. The first was John Tomlinson, who was commissioned August 12, 1834, and by subsequent elections apparently served until August 10, 1844. However, there is a record in the secretary of state's office which seems to indicate that one Samuel R. Collier was a Probate Judge at some time prior to May 28, 1838. To quote from the record: "May 28, 1838, a writ of election issued for the election of a Probate Judge, vice Samuel R. Collier, deceased." There is no record of a commission issued to Collier as a Probate Judge, although he undoubtedly did serve for a time. Enoch Nation was commissioned August 10, 1844, to succeed Tomlinson, who had resigned, and he served until 1852. (For Superior Court, see Grant county.)

PROBATE JUDGES.

John Tomlinson	August 12, 1834, to serve seven years from date; resigned, July 5, 1836.
John Tomlinson	November 16, 1836, appointed to serve until next general election.
John Tomlinson	August 16, 1837, to serve seven years from date, resigned, August 17, 1844.
Enoch Nation	August 10, 1844, to serve seven years from August 10, 1844. "May 28, 1838, a writ of election issued for the election of a probate judge, vice Samuel R. Collier, deceased." Quoted from records, yet no prior mention has been made of Collier.
Enoch Nation	August 21, 1851, to serve seven years from August 10, 1851.

THE COUNTY COURTS

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COMMON PLEAS JUDGES.

Walter March.....1852-56.
 Henry S. Kelley.....1856-60.
 Jacob M. Haynes.....1860-71. resigned.
 John J. Cheney.....Appointed November 22, 1871-73.

DISTRICT PROSECUTING ATTORNEYS.

William Brotherton....1852-54.
 Henry S. Kelley.....1854-56.
 R. T. St. John.....1856-58.
 John D. Chipman.....1858-60.
 T. J. Hosford.....1860-62.
 Enos. L. Watson.....1862-64.
 John T. Hawkins.....1864-66.
 Arthur C. Mellett.....1866-68.
 Phillip A. B. Kennedy..1868-72.
 William H. Lewis.....1872-73.

PRESIDENT JUDGES.

Miles C. Eggleston....April 1, 1827-January 20, 1830. The act of January 20, 1830, took Delaware out of the Third and put it in the Sixth.
 Charles H. Test.....Appointed January 23, 1830-December 11, 1835, resigned.
 Samuel Bigger.....Appointed January 20, 1836-January 3, 1837, resigned.
 James Perry.....January 3, 1837-January 28, 1839. The act of January 28, 1839, put Delaware in the Eleventh.
 Morrison Rulon.....Appointed January 30, 1839; never qualified.
 David Kilgore.....Appointed March 1, 1839-January 30, 1846.
 Jeremiah Smith.....January 30, 1846-October 12, 1852.

CIRCUIT JUDGES.

Joseph Anthony.....October 12, 1852-October 26, 1858. Seventh Circuit.
 Joseph S. Buckles....October 26, 1858-October 15, 1870.
 Joshua H. Mellett....October 15, 1870-March 6, 1873. The act of March 6, 1873, put Delaware in the Twenty-fifth.
 John J. Cheney.....Appointed March 12, 1873-October 22, 1873.
 Silas Coigrove.....October 22, 1873-October 22, 1879.
 Leander J. Monks....October 22, 1879-March 5, 1885. The act of March 5, 1885, made Delaware the sole county in the newly created Forty-sixth, where it has since remained.
 Orlando J. Lotz.....Appointed March 5, 1885-November 15, 1892.
 George H. Koons.....November 15, 1892-November 15, 1898.
 Joseph G. Leffler....November 15, 1898-November 15, 1910.
 Frank Ellis.....November 15, 1910; term expires November 15, 1916.

PROSECUTING ATTORNEYS.

- Cyrus Finch.....April 1, 1827-December 30, 1828. Third circuit.
 Martin M. Ray.....December 30, 1828-January 20, 1830. The act of
 January 20, 1830, took Delaware out of the Third
 and put it in the Sixth.
 James Perry.....January 25, 1830-January 25, 1832.
 William J. Brown.....January 25, 1832-December 10, 1836, resigned.
 Samuel Parker.....Appointed December 10, 1836-December 30, 1838.
 David Macey.....December 30, 1838-January 28, 1839. The act of
 January 28, 1839, put Delaware in the Eleventh.
 Jehu T. Elliott.....February 18, 1839-August 20, 1839, resigned.
 John Brownlee.....Appointed August 20, 1839-December 5, 1839.
 Jeremiah Smith.....December 5, 1839-December 15, 1841.
 John M. Wallace.....December 15, 1841-November 14, 1843.
 John Davis.....Appointed November 14, 1843-September 7, 1846.
 Joseph S. Buckles.....September 7, 1846-September 7, 1848.
 William Garver.....August 20, 1851-October 12, 1852.
 Silas Colgrove.....October 12, 1852-November 7, 1854. Seventh cir-
 cult.
 Elijah B. Martindale.....November 7, 1854-March 5, 1855; transferred to
 Thirteenth.
 Andrew J. Neff.....Appointed March 5, 1855-November 9, 1855.
 William Brotherton.....November 9, 1855-November 12, 1857.
 David Nation.....November 12, 1857-October 31, 1859.
 David Moss.....October 31, 1859-November 12, 1861.
 John A. Harrison.....November 12, 1861-November 12, 1865.
 Lemuel G. Gooding.....November 12, 1865-November 12, 1867.
 David W. Chambers.....November 12, 1867-October 21, 1872.
 John W. Ryan.....October 21, 1872-October 26, 1874. The act of
 March 6, 1873, put Delaware in the Twenty-fifth
 and transferred Ryan from the Seventh to the
 Twenty-fifth.
 Alexander Gullett.....October 26, 1874-October 26, 1876.
 A. O. Marsh.....October 26, 1876-October 26, 1878.
 Josiah E. Melleff.....October 26, 1878-November 9, 1882.
 John W. Newton.....Appointed November 9, 1882-November 17, 1882.
 Thomas A. Spence.....November 17, 1882-August 22, 1883.
 John R. McMahan.....August 22, 1883-November 17, 1884.
 Chauncey L. Medsker.....November 17, 1884-November 15, 1886. The act of
 March 5, 1885, made Delaware the sole county in
 The newly created Forty-sixth, where it has since
 remained, and transferred Medsker from the
 Twenty-fifth to the Forty-sixth.
 George W. Cromer.....November 15, 1886-November 15, 1890.
 Joseph G. Leffler.....November 15, 1890-November 15, 1894.
 Henry L. Hopping.....November 15, 1894-November 15, 1898.
 Edwin M. White.....November 15, 1898-January 1, 1901.

Clarence W. Dearth	January 1, 1901-January 1, 1905.
Aibert E. Needham	January 1, 1905-January 1, 1907.
Robert W. Monroe	January 1, 1907-January 1, 1909.
Harry Long	January 1, 1909-January 1, 1913.
J. Frank Mann	January 1, 1913; term expires January 1, 1917.

DUBOIS COUNTY.

Dubois county was organized by the Legislature on December 20, 1817, and the act became effective on the 1st of the following February. The first county seat was the village of Portersville, located on White river on the northern boundary of the county. As the population increased, it became very evident that a more central location for the county was necessary. The first attempt to make a change was based on the act of January 19, 1829, but the locating commissioners provided by this act failed to accomplish anything and the Legislature was importuned a second time to pass an act to relocate the county seat. This second act, January 21, 1830, repealed the act of the previous year and provided for another commission of five men from adjoining counties to select a suitable site for the county seat. A supplementary act was passed on January 30, 1830, explaining some of the provisions of the act passed nine days previously. When the locating commissioners met at Portersville on the second Monday of August, 1830, they were met by representatives from two sections of the county. The site of Jasper was finally selected because it was near a goodly supply of running water, near the center of the county, and for the additional reason that a mill had already been erected on this site. The town of Jasper was laid out in September, 1830, by Hosea Smith, surveyor of Pike county. An interesting story concerning the name of the new town has been handed down through succeeding generations. The commissioners were going to name the new town Eleanor or Elandor, in honor of Mrs. Enlow, wife of Joseph Enlow, one of the donors of the townsite. Mrs. Enlow, however, did not seem anxious to assume the responsibility of having the town named after her and said to the locating commissioners when they asked to name the town for her, "No, wait, let me select a name," and going to her Bible, she

returned, opened the book and the name of Jasper appeared on the page before the commissioners—and thus the town was named.

The first Circuit court met at the house of William McDonald in August, 1818, with Jonathan Doty as President Judge, and Arthur Harbison as Associate Judge.

ASSOCIATE JUDGES.

Arthur Harbison	-----	February 28, 1818.
Jeremiah Jones	-----	February 28, 1818.
William McMabon	-----	August 9, 1919, vice Jeremiah Jones.
B. B. Edmonson	-----	August 27, 1823.
William Grau	-----	August 27, 1823.
B. B. Edmonson	-----	September 8, 1824; resigned December 15, 1829.
Asbury Alexander	-----	September 8, 1824.
Edward Woods	-----	February 15, 1830, vice B. B. Edmonson (resigned), to serve seven years from September 8, 1824.
Edward Woods	-----	August 29, 1831, to serve seven years from February 28, 1832.
John Niblack	-----	August 29, 1831, to serve seven years from February 28, 1832; resigned October 1, 1833.
Daniel Harris	-----	April 24, 1835 (special election), to serve seven years from February 28, 1832.
Henry Bradley	-----	September 4, 1838, to serve seven years from February 28, 1839; resigned August, 1842.
Willis Hays	-----	September 4, 1838, to serve seven years from February 28, 1839.
Robert Oxley	-----	October 31, 1842, to serve seven years from February 28, 1839, vice Henry Bradley, resigned.
William Cavender	-----	August 21, 1845, to serve seven years from February 28, 1846.
Thomas Shoulders	-----	August 21, 1845, to serve seven years from February 28, 1846; resigned prior to August 5, 1850.
Conrad Miller	-----	September 4, 1850, appointed, to serve seven years from February 28, 1850, vice Thomas Shoulders, resigned.

PROBATE JUDGES.

B. B. Edmonson	-----	August 25, 1829, certificate of vacancy November 16, 1836, filed.
B. B. Edmonson	-----	August 22, 1837.
Daniel Harris	-----	January 18, 1841, vice B. B. Edmonson.
Moses Kelso	-----	October 1, 1841, to serve seven years from date.
Andrew B. Spradey	-----	September 16, 1848, to serve seven years from October 1, 1848.

COMMON PLEAS JUDGES.

Lemuel O. DeBruler---1852-60.
 John J. Key-----1860-61, resigned.
 Charles J. Mason-----Appointed November 15, 1861-62.
 David T. Laird-----Appointed November 1, 1862-70, resigned.
 Charles J. Mason-----Appointed September 5, 1870-October 24, 1870.
 Milton S. Mavity-----1870-73.

DISTRICT PROSECUTING ATTORNEYS.

William A. Wandell---1852-54, office became vacant.
 Harmon G. Barkwell---Appointed January 16, 1854.
 Joshua B. Huckaby---1854-56.
 John I. Key-----1856; failed to qualify.
 Christopher A. Rudd---Appointed March 3, 1857, resigned.
 William H. Blunt-----Appointed November 20, 1857-59.
 George P. Dewess-----1859-60.
 Wiley Adams -----1860-62.
 William C. Adams-----1862-64.
 J. J. McAllister-----1864-66, resigned.
 Milton S. Mavity-----Appointed January 29, 1866.
 Sidney B. Hatfield-----1866-68.
 John W. Buskirk-----1868-69, resigned.
 William Farrell -----Appointed June 14, 1869-70.
 John C. Schafer-----1870-73.

PRESIDENT JUDGES.

William Prince-----February 1, 1818-May 16, 1818, resigned. First circuit.
 Thomas Blake-----Appointed May 16, 1818-December 31, 1818.
 General W. Johnston---December 31, 1818-April 10, 1819, resigned.
 Jonathan Doty -----Appointed April 10, 1819-December 31, 1821. The act of December 31, 1821, put Dubois in the Fourth.
 Richard Daniel -----December 31, 1821-February 21, 1822.
 James R. E. Goodlet---February 21, 1822-January 25, 1832.
 Samuel Hall -----January 25, 1832; resigned April 20, 1835.
 Charles I. Battell----Appointed April 20, 1835-December 11, 1835.
 Elisha Embree -----December 11, 1835-January 1, 1846.
 James Lockhart -----January 1, 1846; resigned September 21, 1851.
 Alvin P. Hovey-----Appointed September 21, 1851-October 12, 1852.

CIRCUIT JUDGES.

There appears to have been a few months when Dubois and Pike counties were not attached to any circuit. The first circuiting after the adoption of the new Constitution shows that Dubois and Pike were placed in the Third circuit with Knox, Daviess, Martin, Gibson, Posey, Vanderburg, Warrick,

Spencer, Crawford and Perry. The next change affecting the circuit was made with the act of February 22, 1859, at which time the Third circuit was reorganized to include the counties of Dubois, Pike, Knox, Martin, Daviess and Gibson. No change was made in the circuit until December 21, 1872, when the Third circuit was made to include Knox, Daviess, Martin, Gibson, Posey and Vanderburg—but not Dubois or Pike. Nothing is given in the act (Laws of Indiana, 1871, p. 21) to indicate what disposition was made of Dubois and Pike counties, nor is there any mention made of either county until the act of March 6, 1873, which put Dubois and Pike in the Eleventh circuit with Gibson. Apparently Dubois and Pike counties were not attached to any circuit from December 21, 1872, until March 6, 1873. In reply to a letter of inquiry concerning this question, Hon. John L. Bretz, the present Judge of the Fifty-seventh circuit—Dubois and Pike—states that such was the case; that the two counties were left out of the Third circuit in 1872 and were not attached to any circuit until the act of March 6, 1873. In explanation of this state of affairs, Judge Bretz says, "Owing to some troubles at that time as to who should be Judges, several of the circuits in the southern part of the state were badly disarranged." The Eleventh circuit remained unchanged until March 8, 1895, when Gibson and Posey were constituted the Eleventh and Pike and Dubois the newly created Fifty-seventh.

CIRCUIT JUDGES.

Alvin P. Hovey	October 12, 1852; resigned September 26, 1854. Third circuit.
William E. Niblack	Appointed September 26, 1854; resigned October 24, 1857.
Ballard Smith	Appointed October 24, 1857-November 1, 1858.
Michael F. Burke	November 1, 1858; died in office in June, 1864.
James C. Denny	Appointed June 27, 1864-November 1, 1864.
John Baker	November 1, 1864-November 1, 1870.
Newton F. Mallott	November 1, 1870-March 6, 1873. The act of March 6, 1873, put Dubois in the Eleventh.
Oscar M. Welborn	Appointed March 12, 1873-March 8, 1895. The act of March 8, 1895, put Dubois in the Fifty-seventh with Pike, where they have since remained.
Eugene A. Ely	Appointed March 26, 1895-November 16, 1908.
John L. Bretz	November 16, 1908-term expires November 16, 1920.

that time all of the territory included within the present counties of Lagrange, Steuben and the northern parts of Noble and Dekalb was in the civil township of Mongoquinong and under the jurisdiction of Elkhart county. A special session of the court of justices (which at that time performed the same duties as the present county commissioners) was held in March, 1830, to hear the report of David Miller, Anthony L. Davis and L. G. Thompson, the commissioners designated in the act organizing the county, to locate the county seat. They selected a site about five miles northwest of the present town of Goshen, at a town known as Dunlap. The ceding of a half tier of the townships on the west side of the county to St. Joseph made it necessary to select a more central location. With the assistance of the legislative act of February 10, 1831, the present site of Goshen was selected and a town was at once surveyed and platted, the first sale of lots occurring on June 20th of the same year. The court house which was provided for the same year was the first one erected north of the Wabash river in Indiana.

The first session of the Circuit court was held on November 15, 1830, at the house of Chester Sage, near Elkhart, by Peter Diddy and William Latta, Associate Judges. The President Judge of the circuit, Charles H. Test, was not present and did not meet with the local Associate Judges until April of the following year. It is interesting to note that the second session of the court (October 31, 1830) was held on the open prairie near the residence of James Friar, although the second day of this session was held in a house in Goshen. Some idea of the density of the population of the county in 1832 may be gathered when it is noted that only one hundred and eighty-nine votes were cast for President in that year.

When Elkhart county was organized in 1830 it was the first one to be formally organized north of the Wabash river and, as has been stated, it had the first court house north of the river. It was attached to the Sixth judicial circuit, which had been organized by the act of January 20, 1830, the circuit at that time including the counties of Elkhart, Allen, Delaware, Randolph, Henry, Wayne, Union and Fayette. This meant

that the President Judge and his coterie of circuit riders had to traverse all of the territory between Connersville and Liberty, on the south, and Dunlap, the county seat of Elkhart, on the north. The counties of Kosciusko, Noble, Lagrange, Steuben, Dekalb, Whitley, Wabash, St. Joseph, Marshall, Fulton, Miami, Huntington, Wells, Adams, Jay, Blackford and Grant were not organized, and all of the territory now included in those counties was attached to the Sixth circuit for civil and criminal jurisdiction. In other words, the President Judge of the Sixth circuit in 1830 presided over the territory now included within twenty-five counties in the northeastern part of the state.

The first Judge of this circuit, after Elkhart became a part of it, was Charles H. Test, who administered justice in this extensive region until the act of January 7, 1833, organized the Eighth circuit. This circuit included the counties of Elkhart, Carroll, Cass, Miami, Wabash, Huntington, Allen, Lagrange, St. Joseph and Laporte. Whitley was attached to it when it was organized, February 6, 1836. In addition, there was considerable unorganized territory which came under the jurisdiction of contiguous counties. When this new circuit was organized, Gustavus A. Everts was chosen by the Legislature to preside over it, and he served until July 5, 1836, when he resigned. Governor Noble appointed Samuel C. Sample to fill out the unexpired term of Judge Everts, and he served until 1843, when he resigned to make the race for Congress in the Ninth congressional district. Judge Sample was elected to Congress and served during the Twenty-eighth session (1843-45). While Judge Sample was on the bench the act of December 19, 1836, organized the Ninth circuit and Elkhart was transferred to this new circuit, Judge Sample also being transferred to the new circuit. Upon the resignation of Sample in 1843 Governor Whitcomb appointed John B. Niles to serve out his unexpired term, but he resigned December 1, 1843. The Legislature selected Ebenezer M. Chamberlain, and he continued on the bench of the Ninth circuit until August 28, 1852, when he resigned. Governor Wright then appointed Robert R. Lowry, who served until the new Constitution went into operation, the 12th of the following October.

When the state was divided into ten circuits in June, 1852, Elkhart was placed in the Tenth circuit with Adams, Wells, Huntington, Wabash, Whitley, Allen, Noble, Lagrange, Steuben and Kosciusko. Elza A. McMahon was the first Judge elected for this circuit and served until he resigned, August 15, 1855. Governor Wright appointed James L. Worden to fill out the unexpired term of Judge McMahon, but he resigned January 16, 1858, to accept a seat on the Supreme bench of Indiana, to which he had been appointed by the governor. Judge Worden continued on the Supreme bench until January 3, 1865. He was again elected in the fall of 1870 to the Supreme bench and served by re-election until he resigned, December 2, 1882, to become Judge of the Superior court of Allen county.

Governor Willard appointed Reuben L. Dawson to succeed Judge Worden when the latter went on the Supreme bench. Judge Dawson only served until after the fall election of 1858, at which time Edward R. Wilson was elected. Judge Wilson served a full term of six years, being succeeded in October, 1864, by Robert R. Lowry. The act of February 20, 1867, organized the Fourteenth circuit out of the counties of Elkhart, Lagrange, Steuben, Dekalb, Noble and Kosciusko. Judge Lowry was left on the bench of the old Tenth circuit which, by this act, was composed of Adams, Wells, Whitley and Allen. Governor Baker appointed, February 28, 1867, Hiram S. Tousley as Judge of the newly created Fourteenth circuit, and he served until October, 1872. In the fall of that year James I. Best was elected Judge of the Fourteenth.

When the entire state was recircuited with the act of March 6, 1873, Elkhart was united with Lagrange in the Thirty-fourth circuit, and no change has been made in the circuit since that time. Governor Hendricks appointed James D. Osborn, March 13, 1873, as the first Judge of the newly created Thirty-fourth circuit to serve until the election in the following October. At the fall election of that year William A. Woods was elected Judge of the Fourteenth, and he served by re-election until January 3, 1881, when he resigned to accept a seat on the Supreme bench, to which he had been elected in the fall of 1880. Judge Woods served as a member

of the Supreme court from January 3, 1881, until May 8, 1883, when he resigned to become United States District Judge. He served in this capacity until March 7, 1892, when he was appointed United States Circuit Judge for the Seventh circuit, a position which he held until his death.

When Judge Woods resigned in 1881 from the bench of the Thirty-fourth circuit Governor Porter appointed James D. Osborn as his successor, and he served by re-election until November 15, 1888. John M. Van Fleet took the bench as the successor of Judge Osborn and was, in turn, followed in 1894 by Henry D. Wilson, who likewise served a full term of six years. Joseph B. Ferrall became Judge, November 16, 1900, and served until his death, February 16, 1904. During the nine days which intervened between the death of Judge Ferrall and the appointment of Francis D. Merritt, Otis L. Ballou presided as Judge. Judge Merritt served by appointment from February 25, 1904, until the 16th of the following November, when he was succeeded by James S. Dodge. The present incumbent, James S. Drake, ascended the bench November 21, 1910, for the regular six-year term.

ASSOCIATE JUDGES.

William Latta.....	June 11, 1830; resigned, September 10, 1836.
Peter Diddy.....	June 11, 1830; resigned, September, 1833.
Aaron M. Perine.....	November 18, 1833, vice Peter Diddy (resigned), to serve seven years from June 10, 1830; resigned, August, 1835.
Havillah Beardsley....	September 24, 1835, vice Aaron M. Perine (resigned), to serve seven years from June 10, 1830.
Havillah Beardsley....	August 19, 1836, to serve seven years from June 10, 1837.
Elias Baker.....	August 19, 1836, to serve seven years from June 10, 1837.
Ebenezer Brown.....	November 26, 1836, appointed to serve seven years from June 10, 1830, vice William Latta, resigned.
Asa A. Norton.....	August 17, 1840.
Joseph Beaue.....	August 19, 1843, to serve seven years from June 10, 1844.
Asa A. Norton.....	August 21, 1844, to serve seven years from June 10, 1844.
Samuel Simonton.....	August 18, 1845, to serve seven years from June 10, 1844.

- Solomon P. Yeoman.....August 30, 1850, to serve seven years from June 10, 1851.
 Harden Cleveland.....August 30, 1850, to serve seven years from June 10, 1851.

PROBATE JUDGES.

- John Carpenter.....August 19, 1831; refused to accept commission for second term in 1835. Writ issued June 16, 1835, for new election.
 Samuel P. Beebe.....August 14, 1835, to serve seven years from date.
 Samuel P. Beebe.....August 10, 1842, to serve seven years from August 14, 1842.
 James Cook.....July 27, 1848, vice Samuel P. Beebe, resigned.
 Joseph H. Mather.....August 28, 1848, to serve seven years from date.

COMMON PLEAS JUDGES.

- John H. Mather.....1852-56.
 Edgar W. Talcott.....1856-60.
 Elisha Egbert.....1868-70.
 Edward J. Wood.....1870-72.
 Daniel Noyes.....1872-73.

DISTRICT PROSECUTING ATTORNEYS.

- Robert Parrett.....1852-54, resigned.
 E. W. Metcalf.....Appointed November 9, 1854-56, resigned.
 Milo S. Hascall.....Appointed October 28, 1856-58.
 John K. Morrow.....1858-60.
 Charles P. Jacobs.....1860-62.
 William Andrews.....1862-68.
 Joseph B. Arnold.....1868-70, resigned.
 Orville T. Chamberlain.....Appointed July 15, 1870.
 William B. Hess.....1870-72.
 George Ford.....1872-73.

PRESIDENT JUDGES.

- Charles H. Test.....April 1, 1830-January 7, 1833. The act of January 7, 1833, took Elkhart out of the Sixth and put it in the Eighth.
 Gustavus A. Everts.....Appointed January 9, 1833-July 5, 1836, resigned.
 Samuel C. Sample.....Appointed July 5, 1836-July 13, 1843, resigned. The act of December 19, 1836, organized the Ninth and Elkhart was put in it. Sample was transferred to the Ninth upon its organization.
 John B. Niles.....Appointed August 8, 1843-December 1, 1843, resigned.
 E. M. Chamberlain.....Appointed December 1, 1843-August 28, 1852, resigned.
 Robert R. Lowry.....Appointed August 28, 1852-August 12, 1852.

CIRCUIT JUDGES.

- Elza A. McMahon----- October 12, 1852-resigned, August 15, 1855. Tenth Circuit.
- James L. Worden-----Appointed August 15, 1855; resigned, January 16, 1858, to accept a seat on the Supreme bench.
- Reuben L. Dawson-----Appointed January 18, 1858-October 26, 1858.
- Edward R. Wilson-----October 26, 1858-October 26, 1864.
- Robert R. Lowry-----October 26, 1864-February 20, 1867. The act of February 20, 1867, put Elkhart in the newly created Fourteenth.
- Hiram S. Tousley-----Appointed February 28, 1867-October 30, 1872.
- James I. Best-----October 30, 1872-March 6, 1873. The act of March 6, 1873, put Elkhart in the newly created Thirty-fourth with Lagrange, where they have since remained.
- James D. Osborn-----Appointed March 13, 1873-October 22, 1873.
- William A. Woods-----October 22, 1873; resigned, January 3, 1881, to accept seat on the Supreme bench.
- James D. Osborn-----Appointed January 6, 1881-November 15, 1888.
- John M. Van Fleet-----November 15, 1888-November 14, 1894.
- Henry D. Wilson-----November 14, 1894-November 16, 1900.
- Joseph B. Ferrall-----November 16, 1900-February 16, 1904, died in office.
- Francis D. Merritt-----Appointed February 25, 1904-November 16, 1904.
- James S. Dodge-----November 16, 1904-November 21, 1910.
- James S. Drake-----November 21, 1910; term expires November 21, 1916.

PROSECUTING ATTORNEYS.

- James Perry-----April 1, 1830-January 25, 1832. Sixth circuit.
- William J. Brown-----January 25, 1832-January 7, 1833. The act of January 7, 1833, took Elkhart out of the Sixth and put it in the Eighth.
- John B. Chapman-----January 10, 1833-August 11, 1834, resigned.
- Samuel C. Sample-----Appointed August 11, 1834-July 5, 1836, resigned.
- Joseph L. Jernegan-----Appointed July 5, 1836-August 15, 1838, resigned. The act of December 19, 1836, organized the Ninth and Elkhart was put in it. Jernegan was transferred to the Ninth from the Eighth.
- John B. Niles-----Appointed August 15, 1838-December 7, 1838.
- William C. Hanna-----December 7, 1838-December 15, 1842.
- E. M. Chamberlain-----December 15, 1842-September 19, 1843, resigned.
- Reuben L. Farnsworth-----September 19, 1843-September 19, 1845.
- Johnson Horrell-----September 19, 1845.
- James Bradley-----Appointed April 13, 1846-August 25, 1846, vice Reuben L. Farnsworth removed from state. Johnson Horrell having failed to file with secretary of state his bond and oath of office, his commission was returned under date of April 29, 1846, said Farnsworth not vacating his office.

nor Hanly appointed, April 4, 1907, Vernon W. Van Fleet as Judge of the newly created court, to serve until January 1, 1909. The first session of the court convened on April 22, 1907. On April 4, 1907, a temporary restraining order was issued by the Elkhart Circuit court restraining the board of county commissioners from furnishing a place to hold court or from furnishing supplies or allowing the clerk and sheriff of the county to act in their respective capacities as such officers of the Elkhart Superior court. The court opened, however, in the Elkhart city council chamber, the use of the room being donated by the city authorities, and the court proceeded to appoint L. A. Dennert, a former clerk of the Elkhart Circuit court, as clerk pro tem. and Fred N. Dewey, coroner, as sheriff. Thus court was opened. Later a permanent injunction was granted by the Elkhart Circuit court; the case was appealed to the Supreme court of the state; the case reversed, and then court was held in the manner prescribed by statute. At the first election following his appointment Judge Van Fleet was elected to succeed himself, and by a subsequent act of the Legislature had his term extended two years. He was on the bench when the act of February 21, 1913, dissolved the Elkhart-St. Joseph Superior court and organized a separate Superior court for each county. Before the division of the district Judge Van Fleet had moved to South Bend, St. Joseph county, and consequently became the first Judge of the St. Joseph Superior court upon its organization. Governor Ralston appointed James L. Harmon as the first Judge of the Elkhart Superior court to serve until January 1, 1915. Judge Harmon was elected at the November, 1914, election and is now on the bench.

FAYETTE COUNTY.

Fayette county was organized by the Legislature, December 28, 1818, and the act provided for the opening of the county on the 1st of the following January. Connersville has been the county seat from the beginning and no other town in the county has ever threatened to take the honor away from it.

The first term of the Circuit court of Fayette county met

in Connersville on May 3, 1819, at the house of George Reed. At the first session John Watts was the President Judge, Train Caldwell and Edward Webb, Associate Justices, and W. W. Wick, prosecuting attorney. At the time of the organization of the county, it was attached to the Third judicial circuit. The county has been attached to several different circuits, including various contiguous counties, but since March 2, 1883, it has been united in the Thirty-seventh circuit with Franklin and Union counties.

Prior to 1829 the Associate Judges functioned as Probate Judges. The first Probate court met April 26, 1819, and was presided over by Train Caldwell and Edward Webb, Associate Judges. Philip Mason was the first elective Probate Judge in the county and he served until 1834. He was followed by Justus Wright, who occupied the Probate bench until the office was abolished by the Constitution of 1851.

The first term of the Common Pleas court in the district including Fayette county opened at Connersville on the first Monday in January, 1853, with John S. Reid on the bench. Judge Reid retired in December, 1860, in favor of Jeremiah M. Wilson, who presided over the court until March, 1865. From that date until the court was abolished in 1873, John F. Kibbey occupied the bench.

ASSOCIATE JUDGES.

Train Caldwell	February 2, 1819; resigned March 21, 1819.
Edward Webb	February 2, 1819.
William Helm	March 23, 1821, vice Train Caldwell, resigned.
Edward Webb	December 12, 1825, to serve seven years from February 2, 1826.
James Brownlee	December 12, 1825, to serve seven years from February 2, 1826; died July, 1827.
William Miller	November 1, 1827 (special election), to serve seven years from February 2, 1826.
Edward Webb	August 23, 1832.
John Treadway	August 23, 1832; resigned April 18, 1837.
Stanhope Royster	June 23, 1837, appointed, to serve seven years from February 2, 1832, vice John Treadway, resigned.
Jeremiah M. Wilson	August 17, 1839, to serve seven years from February 2, 1840.
Edward Webb	August 17, 1839, to serve seven years from February 2, 1840.

John Scott ----- August 18, 1846, to serve seven years from February 2, 1847.

Joshua McIntosh ----- August 18, 1846, to serve seven years from February 2, 1847.

PROBATE JUDGES.

Philip Mason ----- August 18, 1829; resigned May 26, 1834.

Justus Wright ----- August 8, 1834, to serve seven years from August 4, 1834.

Justus Wright ----- August 23, 1841, to serve seven years from August 4, 1841.

Justus Wright ----- August 24, 1848, to serve seven years from August 4, 1848.

COMMON PLEAS JUDGES.

John S. Reid ----- 1852-60.

Jeremiah M. Wilson --- 1860-65, resigned.

J. F. Kibbey ----- Appointed March 6, 1865-73.

DISTRICT PROSECUTING ATTORNEYS.

James R. McClure ---- 1852-54.

Joseph Marshall ----- 1854-56.

Nathan'l McCrookshank 1856-58.

Clement C. Cory ----- 1858-60.

John C. Whitridge ---- 1860-64.

Henry C. Fox ----- 1864-68.

William H. Jones ----- 1868-70.

John L. Rupe ----- 1870-73.

PRESIDENT JUDGES.

Alexander A. Meek ---- January 2, 1819-February 2, 1819, resigned. Never held court in Fayette county. Third circuit.

John Watts ----- Appointed February 2, 1819-January 21, 1820.

Miles C. Eggleston ---- January 21, 1820-January 20, 1830. The act of January 20, 1830, put Fayette in the Sixth.

Charles H. Test ----- Appointed January 23, 1830; resigned January 20, 1836.

Samuel Bigger ----- Appointed January 20, 1836-January 3, 1837, resigned.

James Perry ----- Appointed January 3, 1837-January 23, 1844.

Jehu T. Elliott ----- January 23, 1844-February 15, 1851.

Oliver P. Morton ----- February 15, 1851-October 12, 1852.

CIRCUIT JUDGES.

William M. McCarty --- October 12, 1852; resigned July 29, 1853. Fourth circuit.

William S. Holman ---- Appointed July 29, 1853; resigned August 10, 1853.

Reuben D. Logan ----- Appointed August 10, 1853-October 12, 1865.

Jeremiah M. Wilson --- October 12, 1865-October 24, 1871.

- William A. Cullen-----October 24, 1871-October 24, 1876. The act of March 6, 1873, put Fayette in the Eighth and transferred Cullen from the Fourth to the Eighth.
- Samuel A. Bonner-----October 24, 1876-March 2, 1883. The act of March 2, 1883, put Fayette in the Thirty-seventh with Franklin and Union, where they have since remained.
- Ferdinand S. Swift-----March 2, 1883-October 27, 1904. Judge Swift had been on the bench in the Thirty-seventh since July 28, 1880.
- George L. Gray-----October 27, 1904; term expires October 27, 1916.
- Raymond S. Springer---Commissioned November 12, 1914, for term beginning October 27, 1916.

PROSECUTING ATTORNEYS.

- Oliver H. Smith-----August 9, 1824-August 1, 1826, resigned. Third circuit.
- Amos Lane -----Appointed August 1, 1826-December 30, 1826.
- Cyrus Finch -----December 30, 1826-December 30, 1828.
- M. M. Ray-----December 30, 1828-January 20, 1830. The act of January 20, 1830, put Fayette in the Sixth.
- James Perry -----January 25, 1830-January 25, 1832.
- William J. Brown-----January 25, 1832-December 10, 1836, resigned.
- Samuel Parker -----December 10, 1836-December 10, 1838.
- David Macey -----December 10, 1838-December 11, 1840.
- Jehu T. Elliott-----December 11, 1840-January 23, 1844, resigned.
- Samuel E. Perkins-----Appointed January 23, 1844-August 20, 1844.
- John B. Julian-----August 20, 1844-August 27, 1846.
- John B. Still-----August 27, 1846-August 27, 1848.
- Joshua H. Mellett-----August 18, 1851-October 12, 1852.
- Oscar B. Hord-----October 12, 1852-November 2, 1854, resigned. Fourth circuit.
- William Patterson ----November 2, 1854-August 13, 1858, resigned.
- Sebastian Green -----Appointed August 13, 1858-November 2, 1858.
- Henry C. Hanna-----November 2, 1858-November 2, 1860.
- Milton H. Cullum-----November 2, 1860-November 3, 1862.
- Samuel S. Harrell-----November 3, 1862-November 3, 1864.
- Creighton Dandy ----November 3, 1864-November 3, 1866.
- Kendall M. Hord-----November 3, 1866-November 3, 1868.
- Platt Wicks -----November 3, 1868-July 1, 1869.
- Alexander M. Campbell Appointed July 1, 1869-October 21, 1872.
- Elias R. Montford-----October 21, 1872-March 6, 1873. The act of March 6, 1873, put Fayette in the Eighth.
- Robert B. F. Peirce----March 6, 1873-October 26, 1874.
- Orlando B. Scobey-----October 26, 1874-October 26, 1878.
- John L. Bracken-----October 26, 1878-October 26, 1880.
- Richard A. Durnan-----October 26, 1880; resigned January 22, 1881.

Marine D. Tackett	-----	Appointed January 22, 1881-March 2, 1883. The act of March 2, 1883, put Fayette in the Thirty-seventh with Franklin and Union, where they have since remained.
Leland H. Stanford	-----	March 2, 1883-October 22, 1885.
Lewis M. Develin	-----	October 22, 1885-October 22, 1889.
George W. Pigman	-----	October 22, 1889-October 22, 1893.
George L. Gray	-----	October 22, 1893-October 22, 1895.
F. M. Smith	-----	October 22, 1895-October 22, 1897.
George L. Gray	-----	October 22, 1897-January 1, 1902.
Frank E. Nevin	-----	January 1, 1902-January 1, 1904.
Robert E. Barnhart	-----	January 1, 1904-January 1, 1908.
Allen Wiles	-----	January 1, 1908-January 1, 1910.
Frank M. Edwards	-----	January 1, 1910-January 1, 1916.
James A. Clifton	-----	January 1, 1916; term expires January 1, 1918.

FLOYD COUNTY.

Floyd county was organized by the Legislature on January 2, 1819, and the act became effective on the 2nd of the following month. The county had originally been a part of Harrison and Clark counties. The locating commissioners met in the spring of 1819 to select a site for the county seat and, after several meetings and considerable deliberation, decided to locate it at New Albany. The fact that it was on the river was evidently the deciding factor in its favor, although the donation of four lots and nine thousand dollars by public-spirited citizens of the town was not without its effect. Within four years after the county was organized, an effort was made to relocate the county seat, the act of January 10, 1823, designating commissioners who were to meet at New Albany "on the first Monday of March, 1823, to relocate and establish a seat of justice for said county." It is not known what action the commissioners took, but it is certain that New Albany remained the county seat.

The first term of the Circuit court of Floyd county convened in May, 1819, at New Albany. It was presided over by Davis Floyd, the President Judge of the Second circuit, to which Floyd had been attached upon its organization.

ASSOCIATE JUDGES.

Clement Nance	-----	January 30, 1819.
Isaac Van Buskirk	-----	January 30, 1819.

- Seth Woodruff -----October 8, 1819.
 John Conner -----September 1, 1825, vice Seth Woodruff (resigned),
 to serve seven years from January 25, 1826.
 Rowland S. Strickland-----September 1, 1825, vice Clement Nance (resigned),
 to serve seven years from January 25, 1826.
 Patrick Shields -----August 28, 1827, vice Rowland S. Strickland, re-
 signed.
 Patrick Shields -----August 24, 1832, to serve seven years from January
 25, 1833; resigned July, 1838.
 John Conner -----August 24, 1832, to serve seven years from Janu-
 ary 25, 1833.
 Francis Moore -----September 20, 1838 (special election), to succeed
 Patrick Shields, to serve seven years from Janu-
 ary 25, 1833.
 Douglas W. Sloane----December 5, 1838 (special election), to succeed
 John Conner, to serve seven years from January
 25, 1833. Resigned April, 1839.
 Francis Moore, Sr. ----August 13, 1839, to serve seven years from Janu-
 ary 25, 1840; resigned August, 1843.
 William Williams -----August 13, 1839, vice Douglas W. Sloane (re-
 signed), to serve seven years from January 25,
 1833.
 William Williams -----April 27, 1840.
 William Underhill ----October 9, 1843, to serve seven years from Janu-
 ary 25, 1840, vice Francis Moore, resigned; re-
 signed June, 1847.
 Thomas Sinnex -----August 19, 1847, to serve seven years from Janu-
 ary 25, 1847.

PROBATE JUDGES.

- Seth Woodruff -----October 10, 1829.
 Seth Woodruff -----August 15, 1837.
 Seth Woodruff -----August 20, 1844.
 Joseph A. Moffett-----August 27, 1851, to serve seven years from date.

COMMON PLEAS JUDGES.

- Nathaniel Moore -----1852-56.
 Alexander Anderson ---1856-58, resigned.
 George V. Howk-----Appointed February 10, 1858-November 2, 1858.
 David W. Lafollette---1858-60.
 Amos Lovering -----1860; resigned March 24, 1864.
 William W. Gilleland--Appointed April 28, 1864-November 4, 1864.
 Nathan P. Willard-----1864-68.
 Patrick H. Jewett-----1868-72.
 Charles P. Ferguson---1872-73.

DISTRICT PROSECUTING ATTORNEYS.

- Norman I. Colman-----1852-53, resigned.
 Michael C. Kerr-----Appointed August 8, 1853-54, resigned.
 Gideon C. Moodey-----Appointed May 15, 1854.
 Robert M. Wier-----1854-56.
 Willett Bullit -----1856-58.
 Alexander Dowling ----1858-60.
 John Batt -----1860-62.
 James A. Ghornitz-----1862-66.
 Isaac N. Caress-----1866-67.
 Thomas J. Jackson----Appointed March 18, 1867-68.
 Robert J. Shaw-----1868-70.
 John McCarty -----1870-72.
 Charles L. Jewett-----1872-73.

PRESIDENT JUDGES.

- Davis Floyd -----February 2, 1819-December 18, 1823. Second circuit.
 John F. Ross-----December 18, 1823-July 5, 1834, resigned.
 John H. Thompson----Appointed July 5, 1834-December 20, 1844.
 William T. Otto-----December 20, 1844-October 12, 1852.

CIRCUIT JUDGES.

- George A. Bicknell----October 12, 1852-October 25, 1876. The act of March 6, 1873, took Floyd out of the Second and put it in the Fourth, and transferred Bicknell from the Second to the Fourth.
 John S. Davis-----October 25, 1876; died in office July 6, 1880.
 Simon W. Wolfe-----Appointed July 20, 1880-November 10, 1880.
 Charles P. Ferguson---November 10, 1880-February 23, 1889. The act of February 23, 1889, made Floyd the sole county in the Fifty-second, where it has since remained.
 George A. Bicknell----Appointed in February, 1889; died in office April 15, 1891.
 George V. Howk-----Appointed April 18, 1891; died in office January 13, 1892.
 George B. Cardwell----Appointed January 15, 1892-November 14, 1892.
 Jacob Hester -----November 14, 1892-November 15, 1898.
 William C. Utz-----November 15, 1898; died in office in May, 1914.
 George B. McIntyre----Appointed May 26, 1914-November 15, 1916.
 John M. Paris-----November 15, 1916; term expires November 15, 1922.

PROSECUTING ATTORNEYS.

- John Kingsbury -----August 9, 1824-August 14, 1826. Second circuit.
 Milton Stapp -----August 14, 1826-December 30, 1826.
 John Kingsbury -----December 30, 1826-December 30, 1828.

- John H. Thompson.....December 30, 1828-December 30, 1832.
 Isaac HowkDecember 30, 1832-June 5, 1833, died.
 Charles DeweyAppointed June 5, 1833-June 4, 1836, transferred
 to Supreme court.
 John W. Payne.....June 4, 1836-December 12, 1840.
 Theodore I. Barnett....December 12, 1840-July 13, 1842, resigned.
 William A. Porter.....July 13, 1842-December 14, 1844.
 Cyrus L. Dunham.....December 14, 1844-December 14, 1846.
 George A. Bicknell.....August 15, 1851-October 12, 1852.
 Samuel W. Short.....October 12, 1852-March 8, 1854, resigned. Second
 circuit.
 Patrick H. Jewett.....Appointed March 8, 1854-November 19, 1856.
 Thomas M. Browne....November 19, 1856-November 7, 1858.
 Robert M. Weir.....November 7, 1858-November 7, 1860.
 Ambrose B. Carlton....November 7, 1860-November 7, 1862.
 Thomas M. Browne....November 7, 1862-November 7, 1866.
 Robert M. Weir.....November 7, 1866-November 24, 1879.
 Robert J. Shaw.....November 24, 1870-March 6, 1873. The act of
 March 6, 1873, put Floyd in the Fourth.
 Elias R. Montford....March 6, 1873-October 26, 1874.
 James K. Marsh.....October 26, 1874-October 26, 1876.
 Mathew CleggOctober 26, 1876-October 26, 1878.
 Thomas L. Smith.....October 26, 1878-October 26, 1880.
 Frank B. Burke.....October 26, 1880-November 17, 1886.
 George H. Voight.....November 17, 1886-February 23, 1889. The act of
 February 23, 1889, made Floyd the sole county in
 the Fifty-second, where it has since remained.
 William C. Utz.....November 14, 1890-November 14, 1898.
 George B. McIntyre....November 14, 1898-January 1, 1909.
 Walter V. Bulleit.....January 1, 1909-January 1, 1913.
 John M. Paris.....January 1, 1913; resigned November 6, 1914.
 Charles W. Schindler..Appointed November 6, 1914-January 1, 1915.
 Herbert P. Kenney....January 1, 1915; term expires January 1, 1917.

FLOYD-CLARK CRIMINAL JUDGES.

Floyd and Clark counties were organized as a Criminal court by the legislative act of April 23, 1869, being designated as the Twenty-seventh circuit. The court was in existence only a few years, the act of February 8, 1877, providing for its abolishment. Governor Baker appointed John H. Butler as the first Judge of the court and he served from April 28, 1869, until April 29, 1870, when he was succeeded by Melville C. Hester. Judge Hester occupied the bench until October 26, 1870, at which time Cyrus L. Dunham took the office as a

result of the October election. Thomas L. Smith, Jr., filled the office from October 26, 1874, until the act of February 8, 1877, discontinued the court and transferred all of the cases then pending to the Circuit court.

FOUNTAIN COUNTY.

Fountain county was created out of part of Montgomery and Wabash counties by an act of the General Assembly approved December 31, 1825, which became effective April 1, 1826. The locating commissioners were to meet on the first Monday in May, 1826, to choose the county seat site. They undoubtedly did not meet until later, since their report was not made until July 25, 1826. The county commissioners on this day ordered "that the seat of justice of Fountain county be known and designated by the name of Covington." The first court house was a frame structure, costing three hundred and thirty-five dollars. Since Covington was on the Wabash river, which forms the western boundary of the county, there was an agitation started in the latter part of the twenties to move the seat to a more central location. This agitation culminated in the legislative act of January 29, 1831, which provided for locating commissioners to investigate the question of relocation. Three men, Thomas Brown, Peter Hughes and Peter Rush, were appointed to value the town lots in Covington, and make an estimate of how much less value said property would be by the removal of the county seat. In May, 1831, they reported to the county board that their estimate was nine thousand seven hundred and twenty-one dollars. The commissioners appointed by the state reported to the county commissioners on June 8, 1831, that "they unanimously agreed that the town of Covington be and remain the permanent seat of justice of said county."

A very interesting account of the incidents leading up to the act of January 29, 1831, is told by F. E. Livengood, a lawyer of Covington. The petitioners favoring relocation in 1829 could not get a sufficient number of living signers, so they took the names of the deceased males from the grave-stones of the different cemeteries in the county in order to

get the required number. The citizens of Covington got news of this and tried to offset the work of the opposition by adding to their legal list a long list of soldiers, both living and dead, of the Revolutionary war, Indian wars and War of 1812. Both of these padded petitions went to the Legislature of 1830-31, where it was found that the petitions together contained twice as many names as there were residents of the county, men, women and children. Upon this startling discovery, the Legislature decided to investigate the situation. Hence the act of January 31, 1831, which has been mentioned. The next concerted effort to secure relocation in Fountain county occurred in 1851. On February 14 of that year the Legislature passed a bill which provided for an election on the first Monday of April following. The towns to be voted on were Covington and Chambersburg. Covington succeeded in retaining the county seat. In 1870 and 1871, and again in 1913, Veedersburg tried to get a bill through the Legislature to secure the seat of justice. The Veedersburg citizens say they are going to stay in the fight until they get the county seat.

The act which created Fountain county provided that the Circuit court should be held at the house of Robert Hatfield until a suitable public building could be erected. On July 14, 1826, at Mr. Hatfield's house, near where Strader's Station was later located, the first court of the county was held. It was presided over by Associate Judges Evan Hinton and Lucas Nebeker, neither of whom was a professional lawyer. The first regular term of court was held in September, 1826, at the same place, with John R. Porter as President Judge and Lucius Nebeker and Evan Hinton as Associates. The term lasted only one day, no cases coming up for trial. At this time, however, John Law, Thomas H. Blake, Joseph Van Meter, John B. Chapman, Andrew Ingram and James Farrington were admitted to practice.

When court met in 1828, Edward A. Hannegan and Daniel Rodgers were admitted to practice at the Fountain county bar. The former later served as prosecutor and became prominent in the public life of the state, serving (1843-49) as United States senator from Indiana. In March, 1830, the first indictment for murder was returned by the grand jury.

This grand jury was composed of William Cochran, Samuel Trullinger, Alexander Logan, Benjamin Wade, Jacob Bever, Robert Miller, David Sewall, Jesse Osborn, Caleb Abernathy, James Stewart, Stephen Harper, Samuel Garver, Conrad Walters, John Ralston and Bennett Seibold. At this time the prosecutor was Edward A. Hannegan. The case was tried in the fall of 1830 and the accused was found guilty by a petit jury consisting of John Miller, Joshua Sherill, John Orr, Henry Campbell, John Helms, Asa Smith, Elijah Ferguson, Rhodes Smith, Abraham Gabriel, James Snow, Job Orrahood and Hiram Funk. Not only was the accused, John Richardson, found guilty as charged on the indictment, but he was sentenced to be hung and was duly executed.

Judge Porter was succeeded in 1838 on the bench of the Fountain Circuit court by Judge Isaac Naylor, who served continuously until 1852, when he was succeeded by William P. Bryant. Judge Bryant served until 1858, when he was succeeded by Judge John M. Cowan. Cowan was succeeded in 1870 by Judge Thomas Davidson, of Covington. Judge Davidson published a small volume of overruled cases in 1878 and, a few years afterwards, a manual of probate law, which was generally used at the time. In 1882 Joseph M. Rabb came upon the bench of the Fountain Circuit court, and served until the act of March 3, 1905, made Fountain the sole county of the Sixty-first circuit. The Governor appointed Charles R. Milford as the first Judge of the new circuit and he served from May 12, 1905, to November 16, 1906, when he was succeeded by Isaac Schoonover, whose term expires November 16, 1918.

ASSOCIATE JUDGES.

Evan Hinton	-----	July 8, 1826.
Lucas Nebeker	-----	July 8, 1826.
John Corse	-----	August 28, 1832, to serve seven years from July 8, 1833; resigned March 28, 1834.
Robert Milford	-----	August 28, 1832, to serve seven years from July 8, 1833.
Benedict Morris	-----	August 18, 1834 (special election), to serve seven years from July 8, 1833, vice John Corse, resigned.
Benedict Morris	-----	September 5, 1840, to serve seven years from July 25, 1840.

James Orr ----- August 17, 1848, to serve seven years from July 25, 1847.

Stephen Reed ----- August 18, 1847, to serve seven years from date.

PROBATE JUDGES.

Jonathan Burch ----- August 18, 1829.

Mitchell C. Black ----- August 24, 1833 (special election), vice Jonathan Burch (resigned), to serve seven years from date.

Mitchell C. Black ----- September 5, 1840; died September, 1840.

Jonathan Burch ----- September 21, 1840, appointed, vice Mitchell C. Black, deceased.

Joseph Coats ----- August 23, 1841, to serve seven years from date.

David Rawles ----- September 12, 1846, vice Joseph Coats, resigned.

David Rawles ----- August 18, 1847, to serve seven years from date.

COMMON PLEAS JUDGES.

David Rawles ----- 1852-56.

Charles Tyler ----- 1856-60.

Isaac Naylor ----- 1860-68.

Joseph Ristine ----- 1868-72.

Albert D. Thomas ----- 1872-73.

DISTRICT PROSECUTING ATTORNEYS.

Horatio R. Claypool --- 1852-54.

John I. Taylor ----- 1854-56.

James M. Carpenter --- 1856-58, resigned.

William M. Fall ----- 1858-60.

Hiram W. Stillwell --- 1860-64.

William Eggleston --- 1864-66.

William T. Brush ----- 1866-68.

George D. Hurley ----- 1868-70.

Thomas L. Stillwell --- 1870-73.

PRESIDENT JUDGES.

At the time of its organization, April 1, 1826, Fountain county was placed in the First circuit, on which John R. Porter was then serving as President Judge. He continued on the bench until January 27, 1838, when he was succeeded by Isaac Naylor, who held the office until the new Constitution went into effect.

CIRCUIT JUDGES.

William P. Bryant --- October 12, 1852-November 1, 1858. Eighth circuit.

John M. Cowan ----- November 1, 1858-November 1, 1870.

Thomas F. Davidson --- November 1, 1870-November 15, 1882. The act of March 6, 1873, put Fountain in the Twenty-first and transferred Davidson from the Eighth to the Twenty-first.

- Joseph M. Rabb-----November 15, 1882-March 3, 1905. The act of March 3, 1905, made Fountain the sole county in the Sixty-first, where it has since remained.
- Charles R. Milford----Appointed May 12, 1905-November 16, 1906.
- Isaac E. Schoonover---November 16, 1906; term expires November 16, 1918.

PROSECUTING ATTORNEYS.

- John Law-----April 1, 1826-January 25, 1830. First circuit.
- Edward A. Hannegan--January 25, 1830-January 25, 1832.
- Andrew Ingram -----January 25, 1832-January 23, 1834.
- William P. Bryant----January 23, 1834-January 23, 1838.
- Joseph A. Wright-----January 23, 1838-December 5, 1839.
- Samuel C. Willson----December 5, 1839-September 4, 1843, resigned.
- Joseph E. McDonald---September 4, 1843-September 19, 1847.
- Lew Wallace -----August 18, 1851-May 14, 1853. The act of June 17, 1852, transferred Wallace from the First to the Eighth.
- Daniel W. Voorhees---Appointed May 14, 1853; resigned July 24, 1854.
- Samuel L. Telford-----Appointed July 24, 1854-November 7, 1854.
- Charles A. Naylor-----November 7, 1854-February 9, 1855.
- James M. Allen-----Appointed February 20, 1855-May 30, 1856.
- Henry Shannon -----May 30, 1856-November 2, 1856.
- Thomas N. Rice-----November 2, 1856-November 12, 1858.
- Robert W. Harrison---November 12, 1858-November 12, 1862.
- Samuel F. Woods-----November 12, 1862; resigned October 12, 1868.
- Horton C. Patterson---Appointed October 12, 1868-November 3, 1868.
- Robert B. F. Peirce---November 3, 1868-March 6, 1873. The act of March 6, 1873, put Fountain in the Twenty-first. The records do not indicate the transference of a prosecutor to the Twenty-first or the appointment of one for this new circuit. Stillwell appears as the first prosecutor of the Twenty-first after Fountain was made a part of it.
- Thomas L. Stillwell---October 26, 1874-October 26, 1878.
- Aaron P. Harrell-----October 26, 1878-October 22, 1880.
- Robert B. Jones-----October 22, 1880-November 17, 1883.
- Hugh H. Conley-----November 17, 1883-February 27, 1885.
- Charles A. Booe-----Appointed February 27, 1885-November 17, 1886.
- William B. Reed-----November 17, 1886-November 17, 1890.
- James Bingham -----November 17, 1890-November 17, 1892.
- Ele Stansbury -----November 17, 1892-November 17, 1896.
- James W. Brissey-----November 17, 1896-January 1, 1901.
- Clyde H. Wyand-----January 1, 1901; resigned April 16, 1902.
- Omer B. Ratcliff-----April 16, 1902-January 1, 1907. The act of March 3, 1905, made Fountain the sole county in the Sixty-first, where it has since remained. This

act also transferred Ratcliff from the Twenty-first to the Sixty-first.

William N. White..... January 1, 1907-January 1, 1911.

Claud B. Philpott..... January 1, 1911-January 1, 1915.

Lawrence O. Marshall. January 1, 1915; term expires January 1, 1917.

FRANKLIN COUNTY.

Franklin county, the seventh county organized within the limits of the state of Indiana, was one of the thirteen counties which had been organized at the time the territory applied to Congress for an enabling act in 1815. It was organized under the authority of an act of the territorial Legislature, approved November 27, 1810, being at that time a part of Dearborn and Clark counties. The northern limits of Franklin extended into the present counties of Fayette and Union.

At the time of its organization it was generally conceded that Brookville would become the county seat, though a tradition has prevailed to the effect that the town of Fairfield aspired to this honor. Brookville, however, was selected as the county seat in 1811. Franklin county secured its present territorial limits as the result of three separate legislative acts. Fayette county was organized by an act of December 28, 1818; Union county by an act of January 5, 1821; and a third act (October, 1818, which organized Decatur county) resulted in defining the limits of Franklin as it now stands.

When Franklin county began its independent career in 1811, five years before the admission of Indiana to the Union, it had three courts to care for its business, a County court, a Common Pleas court and a Circuit court. In addition there were a number of Justice of the Peace courts. The County court was composed of the Associate Judges, the auditor and sheriff and had practically the same functions as the commissioners' court of today. It went out of existence when the state was admitted to the Union in 1816. The first County court in Franklin county met on February 18, 1811, with Benjamin McCarty, John Templeton and Thomas Brown present. These men were Judges also of the Common Pleas court. As a County court, they fixed the tax levy, created townships, laid out roads, or "cartways" as they called them, issued tav-



P. A. Hackleman.

ern licenses, appointed road supervisors, fence viewers, listers, overseers of the poor, election officials, pound-keepers and all other appointive officers. The last session of the County court was held February 5, 1817; the Associate Judges at that time were John Whitworth and William H. Eads.

The first Circuit court in Franklin county under the 1816 Constitution met in March, 1817, with John Test as President Judge, and John Jacobs and John Hanna as Associate Judges. In the spring of 1817, four of Brookville's lawyers got tangled up in a series of arguments, which finally brought them to the bar of justice. James McKinney and Miles C. Eggleston, afterward the Judge of the Circuit court from 1819 to 1847, staged an encounter somewhere in Brookville. Although the records are not available to show the fight by rounds, the actors were, nevertheless, brought before the court, pleaded not guilty, and asked for a trial by jury. Whether they got five dollars' worth of satisfaction out of their encounter is not known, but it took that much to satisfy the court. In the spring of 1817, James Noble, then United States senator, a brother of Noah Noble, a Governor of the state, and Stephen C. Stephens, who served as a member of the Supreme court of Indiana from 1831 to 1846, engaged in a personal combat. They were fined five dollars for engaging in bellicose activities. Most of the legal business for the first two or three years, after the admission of Indiana to the Union, in Franklin county was done by Hendricks, Noble, McKinney, Stevens, Eggleston and Lane.

The first court of Common Pleas assembled at Brookville, March 4, 1811, and was in charge of Judge Benjamin McCarty, John Templeton and Thomas Brown. At this time, Elijah Sparks, James Dill, James Noble, Stephen C. Stevens and Jesse L. Holman were admitted to practice law.

The following list of lawyers, arranged in the order of their admission to the Franklin bar, contains many of the most noted lawyers of the state. In this list there may be seen United States senators, congressmen, governors, state senators and representatives, members of the Supreme court of Indiana, ministers to foreign countries and scores of lawyers, whose names were once known throughout the state.

Sketches of the most important lawyers are found elsewhere. The dates are taken from the court records and indicate when admission to the local bar was granted: Elijah Sparks, 1811; James Noble, 1811; James Dill, 1811; Jesse L. Holman, 1811; John Test, 1812; Isaac Blackford, 1813; William Hendricks, 1813; John Lawrence, 1814; Amos Lane, 1814; Pinckney Janes, 1814; James McKinney, 1815; Miles C. Eggleston, 1817; Hezekiah B. Hills, 1817; Stephen C. Stevens, 1817; Daniel J. Caswell, 1818; William R. Morris, 1818; Daniel Drew, 1818; Isaac S. Brower, 1819; William W. Wick, 1819; Isaac M. Johnson, 1819; Richard S. Wheatley, 1820; Charles H. Test, 1822; Thomas J. Langdon, 1827; N. G. Howard, 1827; Charles Fox, 1827; Septimus Smith, 1827; John S. Newman, 1828; Stephen S. Harding, 1828; Benjamin S. Noble, 1830; Henry Bigger, 1830; John M. Johnson, 1829; John Test, Jr., 1829; Philip Sweetzer, 1830; Samuel W. Parker, 1832; William M. McCarty, 1833; James B. Haile, 1833; Daniel S. Major, 1833; John A. Matson, 1832; John Ryman, 1832; George Holland, 1832; Andrew Davison, 1833; John Hutchens, 1833; William Dailey, 1833; James T. Brown, 1834; Philip S. Spooner, 1834; Courtland C. Cushing, 1834; Abram A. Hammond, 1835; John McPike, 1835; Hugh B. Eggleston, 1837; John Dumont, 1838; P. A. Hackleman, 1838; John D. Howland, 1842; James B. Sleeth, 1842; John H. Farquahr, 1842; John Yaryan, 1846; Daniel D. Jones, 1847; Hadley D. Johnson, 1848; John T. McCarty, 1848; Edgar Haymond, 1849; James Gavin, Jr., 1850; Wilson Morrow, 1853; Alfred Ward, 1853; James R. McClure, 1853; Henry C. Hanna; Cyrus Kilgore, 1853; N. M. Crookshank, 1853; Joseph Brady, 1853; Henry Berry, Jr., 1853; Fielding Berry, 1859; S. S. Harrel, 1860; W. H. Bracken, 1861; John F. McKee, 1867; Thomas Smith, 1873; ——— McMahan, 1873; David W. McKee, 1873; F. M. Alexander, 1877; Edwin W. High, 1877; Charles F. Jones, 1879; D. Allison, 1879 or 1880; Isaac Carter, 1881; Edgar O'Hair, 1881; George W. O'Byrne, 1882; Emmett R. Wilson, 1890; Joseph F. Bickel, 1892; Orrin E. Walker, 1893; Arthur H. Jones, 1894; William F. Flack, 1894; Frank M. Smith, 1896; Milford P. Hubbard, 1897; Andrew J. Ross, 1898; Marshall R. Alexander, 1898; Murat W. Hopkins,

1900; George E. Mullin, 1901; Howard M. Gordon, 1901; George R. Foster, 1903; I. N. McCarty, 1904; Ben Winans, Jr., 1906; Charles P. Fant, 1908; Edward Stenger, 1909; Will A. Younts, 1912; Louis A. Jonas, 1912; Albert J. Peine, 1914; J. B. Kidney, George Haman and John Brockman.

James Noble, the second man admitted to the bar in Franklin county, served in the territorial Legislature, in the constitutional convention of 1816 and was elected to the first state Legislature from Franklin county. He was elected by the Legislature to one of the seats in the United States Senate at the opening of the first session of the state Legislature and continued in that office until his death, in 1831. Gen. Lew Wallace, who afterward became a well-known member of the Indiana bar and who lived at Crawfordsville, was born in Franklin county. Isaac Blackford, John T. McKinney and Stephen C. Stevens, all of whom served on the Supreme bench of Indiana, the first from 1817 to 1853, the second from 1831 to 1837, and the third from 1831 to 1836, were residents of Franklin county at one time. Blackford lived in Brookville a year or two before the state was admitted to the Union and then moved to Vincennes. Jesse L. Holman, the fourth man admitted to practice law in Franklin county, was a member of the Indiana Supreme court from 1816 to 1831. John Test, the fifth admitted to practice law in Franklin county, served many years as a Circuit Judge and as a member of Congress from 1824 to 1827 and from 1829 to 1831. William Hendricks, the seventh admitted to practice law in Franklin county, represented the state in the national Congress from 1817 to 1822 and was Governor of the state from 1822 to 1825. He was elected to the United States Senate in 1825 and served until 1837. William W. Wick, of Indianapolis, who served many years as a Judge of the Circuit court, was a representative in Congress from 1838 to 1841 and again from 1845 to 1849. Charles H. Test, who was admitted to practice in Franklin county, was a Circuit Judge for many years and secretary of state from 1849 to 1853. Samuel W. Parker was a member of Congress from 1853 to 1855. Abram A. Hammond was lieutenant-governor from 1857 to 1860 and acting

Governor from 1860 to 1861, after the death of Governor Willard to the end of the term for which he was elected.

The first court of Franklin county met in one of the rooms of the tavern in Brookville owned by James Knight, and in this tavern all official business of the county appears to have been transacted from the organization of the county, in the spring of 1811 until April of the following year. During this time, a log court house had been erected on the present public square, but within two years the county felt the need of the new structure. A building was commenced in 1815 and completed in 1817, at a cost of three thousand dollars. On February 22, 1852, a fire broke out near the court house and in a little time that structure was entirely destroyed. A new court house was built at a cost of twenty-eight thousand dollars. In 1910 the old court house was remodeled at a cost of seventy-one thousand dollars. The repairs were completed and the building dedicated on November 15, 1912.

TERRITORIAL JUDICIARY.

- December 6, 1810-----Justices of the Peace: John Creek, Eli Henderson and John Baker.
- December 13, 1810-----Justices of the Peace: John Cox, Jeremiah Meeks, Abraham Elli and Isaac East.
- December 14, 1810-----Judges of the Court of Common Pleas: Benjamin McCarty, John Templeton and Thomas Brown.
- December 14, 1810-----Prosecuting Attorney: James Noble, "for the counties of Wayne and Franklin." This is the first mention in the Executive Journal of the appointment of a county prosecutor.
- December 18, 1810-----Clerk of the Court of Common Pleas and Recorder: (name illegible).
- December 18, 1810-----Sheriff: Robert Hanna, Jr.
- March 4, 1811-----Coronor: Anthony Halverstall. Surveyor: Landon Robertson. Justices of the Peace: Samuel Rockefell (Rockefeller), John Hall, Andrew Tharp, Benjamin Smith, John Ewing, Isaac Wilson and John Fugate (Fugit).
- April 12, 1811-----Justice of the Peace: Stanhope Royster.
- December 16, 1811-----Justice of the Peace: William Huff.
- March 5, 1812-----Justice of the Peace: Abraham I. Fisk.
- May 24, 1812-----Justices of the Peace: Nicholas Ragun and William Holmes.
- May 24, 1812-----Judge of the Court of Common Pleas: Joshua Harland.

- December 22, 1812-----Prosecuting Attorney: James Sparks, for Franklin and Wayne counties.
- February 2, 1813-----Justice of the Peace: John Bradbourn.
- March 10, 1813-----Surveyor: Joseph Allen.
- December 10, 1813-----Justices of the Peace: John Quick and John Whitworth.
- January 6, 1814-----Judges of the Circuit court: Benjamin McCarty, first judge; Thomas Brown, second judge; Joshua Harland, third judge. (This is the first mention of Circuit Judges in the territorial records. McCarty was the President Judge and the other two were known as Associate Judges.) On this same day (January 6, 1814) Enoch McCarty was appointed and commissioned clerk of the court.
- January 15, 1814-----To quote the words of the Journal: "A dedimus issued to Enoch McCarty to administer the oaths of office and swear into office all officers civil and military in Franklin county."
- January 25, 1814-----"A dedimus was issued to John R. Beates (Beaty) to swear Enoch McCarty into office as clerk of Franklin county."
- June 24, 1814-----Justice of the Peace: John Briscoe.
- September 3, 1814-----Clerk of the Circuit court: George Hunt. The legislative act of December 31, 1813, divided Indiana Territory into three judicial circuits, Franklin being placed in the Third with Dearborn and Wayne. The act of August 30, 1814, did not change the circuits. Elijah Sparks was appointed and commissioned (September 14, 1814) as judge of the Third circuit.
- September 16, 1814-----Associate Judges of the Circuit court: John Whitworth, first associate; Arthur Dickson, second associate.
- September 21, 1814-----To quote from record: "A dedimus issued to John R. Beaty, Clerk of Franklin county to administer the oath of office to civil and military officers of said county" (see original Journal, p. 59). (It will be noticed that on January 25, 1814, Enoch McCarty was commissioned as clerk and that George Hunt was commissioned to the same office on September 3, 1814.)
- September 21, 1814-----Associate Judge of the Circuit court: Benjamin Smith.
- September 21, 1814-----Clerk of the Circuit court: John R. Beaty. (A separate entry from the second above.)
- November 8, 1814-----Justices of the Peace: William Dubois and John Hanna.

- May 25, 1815-----Circuit Judge: James Noble appointed to fill the vacancy in the Third circuit caused by the death of Elijah Sparks.
- June 12, 1815-----Clerk of the Circuit court: John Test, vice John R. Beaty, deceased.
- July 29, 1815-----Justices of the Peace: Ebenezer Howe, Israel W. Bonham and Jonathan Stout.
- July 29, 1815-----Coroner: John Winchell.
- December 16, 1815-----Associate Judge of the Circuit court: William H. Eads.
- December 16, 1815-----Justice of the Peace: Matthew Sparks.
- March 16, 1816-----Justice of the Peace: Edmund Harrison.
- June 1, 1816-----Justices of the Peace: Sanford Keeler and Thomas Winscott.

ASSOCIATE JUDGES.

- John Jacobs-----February 14, 1817, to serve seven years from date.
- John Hanna-----February 14, 1817, to serve seven years from date.
- William B. Laughlin---February 15, 1819; resigned November 21.
- David Mount-----February 3, 1822, vice William B. Laughlin, resigned.
- David Mount -----September 1, 1823.
- John Hanna-----September 1, 1823; removed from county.
- John Quick -----May 26, 1829 (special election), vice John Hanna (resigned), to serve seven years from September 1, 1823.
- John Quick -----September 8, 1830, to serve seven years from February 14, 1831.
- David Mount -----September 8, 1830, to serve seven years from February 14, 1831.
- Enoch McCarty -----August 12, 1837, to serve seven years from February 14, 1838.
- John Quick -----August 12, 1837, to serve seven years from February 14, 1838.
- Redin Osborn -----August 20, 1844, to serve seven years from February 14, 1845.
- Giles Gant -----August 20, 1844, to serve seven years from February 14, 1845.
- Giles Gant -----August 25, 1851, to serve seven years from February 14, 1852.
- Redin Osborn -----August 25, 1851, to serve seven years from February 14, 1852.

PROBATE JUDGES.

- John M. Johnson-----September 8, 1830, to serve seven years from September 1, 1830; resigned.
- Henry Berry -----February 23, 1832, appointed vice John M. Johnson, resigned.

Henry Berry -----August 20, 1832.
 Henry Berry -----August 17, 1839.
 Henry Berry -----August 20, 1839.

COMMON PLEAS JUDGES.

John S. Reid-----1852-60.
 Jeremiah M. Wilson---1860-65, resigned.
 J. F. Kibbey-----Appointed March 6, 1865-73.

DISTRICT PROSECUTING ATTORNEYS.

James R. McClure-----1852-54.
 Joseph Marshall -----1854-56.
 Nathan'l McCookshank1856-58.
 Clement C. Cory-----1858-60.
 John C. Whitridge----1860-64.
 Henry C. Fox-----1864-68.
 William H. Jones-----1868-70.
 John L. Rupe-----1870-73.

PRESIDENT JUDGES.

John Test -----December 18, 1816-January 2, 1819. Third circuit.
 Alexander A. Meek----January 2, 1819-February 2, 1819; probably never qualified.
 John Watts -----February 2, 1819-January 21, 1820.
 Miles C. Eggleston----January 21, 1820-December 18, 1844.
 Courtland Cushing ---December 18, 1844-January 15, 1847. The act of January 15, 1847, put Franklin in the Thirteenth.
 George H. Dunn-----Appointed January 21, 1847-January 24, 1850.
 William M. McCarty---January 24, 1850-October 12, 1852.

CIRCUIT JUDGES.

William M. McCarty---October 12, 1852; resigned July 29, 1853. Fourth circuit.
 William S. Holman----Appointed July 29, 1853; resigned August 10, 1853.
 Reuben D. Logan-----August 10, 1853-October 12, 1865.
 Jeremiah M. Wilson---October 12, 1865-April 22, 1869. The act of April 22, 1869, put Franklin in the newly created Twenty-sixth.
 Robert N. Lamb-----Appointed April 28, 1869-October 24, 1870.
 Henry C. Hanna-----October 24, 1870; died in office July 24, 1880. The act of March 6, 1873, put Franklin in the Thirty-seventh and transferred Hanna from the Twenty-sixth to the Thirty-seventh.
 Ferdinand S. Swift---Appointed July 28, 1880-October 27, 1904. The act of March 2, 1883, constituted Franklin, Fayette and Union the Thirty-seventh, since which time no change has been made.

George L. Gray-----October 27, 1904-October 27, 1916.
 Raymond S. Springer--Commissioned November 12, 1914, for a six-year
 term beginning October 27, 1916.

PROSECUTING ATTORNEYS.

Oliver H. Smith-----August 9, 1824-August 1, 1826, resigned. Third
 circuit.

Amos Lane -----Appointed August 1, 1826-December 30, 1826.

Cyrus Finch-----December 30, 1826-December 30, 1828.

Martin M. Ray-----December 30, 1828-January 25, 1830.

James F. D. Lanier---January 25, 1830-January 25, 1832.

John M. Johnson-----January 25, 1832; resigned February 21, 1833.

John Test -----Appointed February 21, 1833-December 5, 1833.

Courtland Cushing ----December 5, 1833-December 11, 1837.

John Dumont -----December 11, 1837-December 15, 1841.

George Robinson ----December 15, 1841-May 18, 1842; died.

John Dumont -----Appointed May 8, 1842-January 15, 1847. The act
 of January 15, 1847, put Franklin in the Thir-
 teenth.

Benjamin I. Spooner--August 19, 1851-October 12, 1852.

Oscar B. Hord-----October 12, 1852-November 2, 1854, resigned.
 Fourth circuit.

William Patterson ----November 2, 1854-August 13, 1858, resigned.

Sebastian Green -----Appointed August 13, 1858-November 2, 1858.

Henry C. Hanna-----November 2, 1858-November 2, 1860.

Milton H. Cullum-----November 2, 1860-November 3, 1862.

Samuel S. Harrell-----November 3, 1862-November 3, 1864.

Creighton Dandy-----November 3, 1864-November 3, 1866.

Kendall M. Hord-----November 3, 1866-November 3, 1868.

Platt Wicks -----November 3, 1868-April 22, 1869. The act of
 April 22, 1869, put Franklin in the Twenty-sixth.

William Wirt Kelley--Appointed April 28, 1869-October 24, 1870.

George R. Brumblay---October 24, 1870-March 6, 1873. The act of March
 6, 1873, put Franklin in the Thirty-seventh, and
 put Brumblay in the Seventh.

Bartemus Burke -----Appointed March 29, 1873-October 22, 1875.

Stephen E. Urmster---October 22, 1875-October 22, 1877.

Bartemus Burke -----October 22, 1877-October 22, 1881.

Leland H. Stanford---October 22, 1881-October 22, 1885.

Louis M. Develin-----October 22, 1885-October 22, 1889.

George W. Pigman-----October 22, 1889-October 22, 1893.

George L. Gray-----October 22, 1893-October 22, 1895.

Frank M. Smith-----October 22, 1895-October 22, 1897.

George L. Gray-----October 22, 1897-January 1, 1902.

Frank E. Nevin-----January 1, 1902-January 1, 1904.

Robert E. Barnhart---January 1, 1904-January 1, 1908.

Allen Wiles -----January 1, 1908-January 1, 1910.

Frank M. Edwards---January 1, 1910-January 1, 1916.

James A. Clifton-----January 1, 1916 term expires January 1, 1918.

FULTON COUNTY.

Fulton county was organized by the Legislature with the act of February 4, 1836, the act becoming effective on the first of the following April. The county never experienced any trouble in regard to the location of its county seat. When the locating commissioners met on the first Monday in June, 1836, to select a site for the future seat of justice, they chose the site of the present town of Rochester. There was some effort to locate it at the crossing of the Michigan road and Tippecanoe river, but it was too far from the center of the county to receive serious consideration.

The first session of the Circuit court of Fulton county met at the house of Ebenezer Ward in Rochester, October 27, 1836. The court met here in order to meet the requirements of the act organizing the county, but it immediately adjourned to meet at the house of Robert Martin in the same town. The first President Judge of the circuit including Fulton county was Samuel C. Sample, and Judge Sample, with John Robbins and Anthony Martin, the Associate Judges, had charge of the first court in the county. Joseph L. Jernegan was the first prosecuting attorney.

The Probate court of Fulton county held its first session at the house of Robert Martin in Rochester, May 8, 1837, with Joseph Robbins as Judge of Probate. The first Common Pleas court was held on April 4, 1853, with Hugh Miller as judge.

ASSOCIATE JUDGES.

John Robbins	-----	April 18, 1836, to serve seven years from date.
Anthony Martin	-----	April 18, 1836, to serve seven years from date.
Anthony Martin	-----	August 8, 1842, to serve seven years from April 18, 1843; resigned February, 1844.
Jonathan Beebe	-----	August 8, 1842, to serve seven years from April 18, 1843; resigned July, 1845.
James McColm	-----	April 10, 1844 (special election), to serve seven years from April 18, 1843, vice Anthony Martin, resigned. James McColm removed from county May, 1845.
Ebenezer Ward	-----	August 20, 1845 (special election), to serve seven years from April 18, 1843; died June, 1847.
James Moore	-----	August 20, 1845 (special election), to serve seven years from April 18, 1843; died June, 1847.

- John Ball ----- August 20, 1847, to serve seven years from April 18, 1843.
 Frederick Ault ----- August 20, 1847, to serve seven years from April 18, 1843.
 John Ball ----- August 18, 1849, to serve seven years from April 18, 1850.
 James Burrows ----- August 22, 1849, to serve seven years from April 18, 1850; died prior to October 15, 1851.

PROBATE JUDGES.

- Joseph Robbins ----- March 7, 1837; resigned July, 1841.
 John J. Shryock ----- August 11, 1841 (special election), to serve seven years from date; resigned June, 1847.
 Anthony F. Smith ----- August 20, 1847, to serve seven years from date; resigned June 10, 1849.
 James Babcock ----- August 22, 1849 (special election), to serve seven years from August 20, 1847.

COMMON PLEAS JUDGES.

- Hugh Miller ----- 1852-56.
 Carter D. Hathaway --- 1856-60.
 Kline G. Shryock ----- 1860-62.
 David D. Dykeman --- 1862-65, resigned.
 Thomas C. Whiteside --- Appointed May 12, 1865-70.
 James H. Carpenter --- 1870-73.

DISTRICT PROSECUTING ATTORNEYS.

- Rufus McCormick ----- 1852-53, resigned.
 Kline G. Shryock ----- Appointed July 1, 1853-54.
 G. T. Wickersham ----- 1854-56, resigned.
 Frank C. Brown ----- Appointed October 28, 1856; failed to qualify.
 James Marsden ----- Appointed June 29, 1857.
 James W. Eldridge --- 1857-58, resigned.
 William L. Miner ----- 1858-60.
 William DeHart ----- 1860, resigned.
 W. W. Shuler ----- Appointed December 22, 1860-61, resigned.
 E. T. Dickey ----- Appointed November 2, 1861-62.
 Stewart T. McConnell --- 1862-64.
 John A. Farrell ----- 1864-66, resigned.
 Dyer B. McConnell --- Appointed March 14, 1866.
 Horace S. Foot ----- 1866-68.
 Jerome Q. Stratton --- 1868-70.
 Hiram G. Depuy ----- 1870-72.
 H. B. Shively ----- 1872-73.

PRESIDENT JUDGES.

- Samuel C. Sample ----- April 1, 1836-December 14, 1841. The act of December 14, 1841, took Fulton out of the Ninth and put it in the Eighth.

- Henry Chase ----- December 14, 1841.
 John W. Wright ----- Resigned January 29, 1847.
 Florace P. Biddle ----- Appointed January 29, 1847-August 20, 1852, re-
 signed.
 Robert H. Milroy ----- Appointed August 20, 1852-October 12, 1852.

CIRCUIT JUDGES.

- Thomas L. Stanfield ----- October 12, 1852; resigned February 23, 1857.
 Ninth circuit.
 Albert G. David ----- Appointed February 23, 1857-November 17, 1857.
 Andrew L. Osborn ----- November 17, 1857-October 24, 1870.
 Thomas S. Stanfield ----- October 24, 1870-March 6, 1873. The act of March
 6, 1873, put Fulton in the newly created Thirty-
 third.
 Elisha V. Long ----- Appointed March 17, 1873-March 9, 1875. The
 act of March 9, 1875, put Fulton in the newly
 created Forty-first with Marshall, where they
 have since remained.
 Horace Corbin ----- Appointed March 9, 1875-October 24, 1876.
 Sidney Keith ----- October 24, 1876-November 15, 1882.
 Jacob S. Slick ----- November 15, 1882-March 8, 1883, resigned.
 William B. Hess ----- Appointed March 8, 1883-November 14, 1884.
 Isaiah Conner ----- November 14, 1884-November 14, 1890.
 Albertus C. Capron ----- November 14, 1890-November 14, 1902.
 Harry Bernetha ----- November 14, 1902-November 14, 1914.
 Smith N. Stevens ----- November 14, 1914; term expires November 14,
 1920.

PROSECUTING ATTORNEYS.

- Joseph L. Jernegan ----- December 10, 1836-August 15, 1838, resigned.
 Ninth circuit.
 John B. Niles ----- Appointed August 15, 1838-December 7, 1838.
 William C. Hanna ----- December 7, 1838-December 14, 1841. The act of
 December 14, 1841, took Fulton out of the Ninth
 and put it in the Eighth.
 Spier S. Tipton ----- December 15, 1841-December 15, 1843.
 William Z. Stuart ----- December 15, 1843-December 15, 1845.
 David M. Dunn ----- December 15, 1845-December 15, 1847.
 William Potter ----- Appointed August 23, 1849-August 28, 1851, re-
 signed.
 George E. Gordon ----- Appointed August 28, 1851; resigned September
 15, 1852.
 John M. Wilson ----- Appointed September 15, 1852-October 12, 1852.
 D. J. Woodward ----- October 12, 1852-November 7, 1854.
 Morgan H. Weir ----- November 7, 1854-October 1, 1856, resigned. Ninth
 circuit.
 Reuben L. Farnsworth ----- Appointed October 1, 1856-October 30, 1856.
 Mark S. Dumont ----- October 30, 1856-November 15, 1858.

William B. Biddle	-----	November 15, 1858-November 15, 1860.
David T. Phillips	-----	November 15, 1860-November 15, 1864.
Aaron G. Guiney	-----	November 15, 1864-November 15, 1868.
William H. Calkins	-----	November 15, 1868-November 15, 1870.
Michael L. Essick	-----	November 15, 1870-November 15, 1872.
Thomas J. Wood	-----	November 15, 1872-October 26, 1874. The act of March 6, 1873, put Fulton in the Thirty-third, and transferred Wood from the Ninth to the Thirty-third.
Perry O. Jones	-----	October 26, 1874-October 24, 1878. The act of March 9, 1875, put Fulton in the Forty-first with Marshall, where they have since remained. The same act transferred Jones from the Thirty-third to the Forty-first.
Baron D. Crawford	----	October 24, 1878-November 17, 1882.
Elijah C. Martindale	----	November 17, 1882-November 17, 1886.
Charles P. Drummond	----	November 17, 1886-November 17, 1890.
Smith Nay Stevens	----	November 17, 1890-November 17, 1894.
J. K. Houghton	-----	November 17, 1894-November 17, 1896.
Harry Bernetha	-----	November 17, 1896-January 1, 1901.
Arthur Metzler	-----	January 1, 1901-January 1, 1905.
Samuel J. Hayes	-----	January 1, 1905-January 1, 1907.
John A. Nolter	-----	January 1, 1907-January 1, 1909.
Henry L. Unger	-----	January 1, 1909-January 1, 1913.
Delph L. McKessen	----	January 1, 1913; term expires January 1, 1917.

GIBSON COUNTY.

Gibson county was organized by the legislative act of March 9, 1813, the act becoming effective on the 1st of the following month. The county seat has always been at Princeton, the town being named in honor of Judge William Prince, who was President Judge of the local court in 1816 and 1817, and congressman from the First congressional district in 1823. Gibson county was under the jurisdiction of the territorial courts for the first three years of its existence. The first term of the Common Pleas court, as it was then called, met May 10, 1813. William Harrington, Isaac Montgomery and Daniel Putnam were the Associate Judges.

William Prince, afterwards Judge Prince, was the first prosecuting attorney of the Gibson Circuit court. He was recommended for that office by the court to Governor Thomas Posey, from whom he received his appointment. He was

appointed in November, 1813, and continued in office until 1818, at the "princely" compensation of one hundred dollars per annum. Richard Daniel was prosecutor in 1819, for a few months following William Prince, who again served as prosecutor in 1819.

From March, 1814, to March 18, 1816, Isaac Blackford was President Judge, and Willis C. Osborne and Jesse Emerson, Associates. Judge Blackford organized and held the first Circuit courts in this district. He was appointed to the Supreme bench, December 10, 1817, which position he held until January 3, 1853. He was one of the most eminent jurists of his day. March 18, 1816, to December 21, 1816, David Raymond was the President Judge. He was followed by Benjamin Parke, who was the last President Judge before the state was admitted to the Union. William Prince (1817-18), the successor of Parke, was a native of Ireland, having come to this country in 1804, first settling in Vincennes, where he began the study of law. He was appointed Circuit Judge in 1817. Prior to this he was Indian agent under General Harrison; he was the first prosecuting attorney in the Gibson circuit, and later a member of Congress from this district. He made the first improvement on the site where Princeton was afterward located, and it was in his honor that the town was named. He was a very intelligent lawyer and a useful citizen of Gibson county, in which he resided until his death.

David Hart was President Judge of the Gibson Circuit court from February 16, 1818, to March 8, 1819. Judge Hart had the reputation of being a fine lawyer and an impartial judge. He was a resident of Princeton from 1815 until his death, which occurred about 1820.

Richard Daniel came to Princeton in 1815, and was a representative from Gibson county in the Legislature of 1817-18. He was appointed Judge of the Gibson Circuit court on January 2, 1819, and served to January 21, 1822.

James R. E. Goodlet took his seat on the bench as President Judge February 21, 1811, and served to January, 1832.

According to a traditional story covering that period, Judge Goodlet had a distinction other than that for having a long tenure of office. One of these was that his capability

and efficiency as a politician was greater than was that of a jurist, and it was due to his political sagacity that he was able to succeed himself in office from time to time. Another distinguishing characteristic was a violent and irritable temper, which made it very disagreeable to lawyers practicing in his court. Because of this, the lawyers combined to defeat him for re-election in 1832, and succeeded in inducing the Legislature to elect Judge Samuel Hall, a prominent lawyer and citizen of Princeton. Another story of the times is that Judge Goodlet became possessed of a very bitter and resentful feeling against his successor, which was especially manifested during a term of court in Mt. Vernon, Indiana, in 1834. Judge Goodlet was attorney in a case before the court, and during the trial disputed in a very insolent manner some of the rulings of Judge Hall, who ordered Goodlet to show cause why he should not be fined for contempt of court. On the following morning a friend of Judge Hall, knowing the fiery disposition of Judge Goodlet and anticipating trouble, walked up to Judge Hall while on the bench, and skillfully dropped into his lap a silk handkerchief, which contained within its folds a bright and dangerous dagger, such as was carried by many persons in those days. When Judge Hall informed Goodlet that it would be in order for him to show why he should not be fined for contempt of court, Goodlet, springing from his seat and rushing to attack Judge Hall, said: "I will show cause right now," with a reach to strike the Judge as he sat on the bench. Judge Hall, with dagger in hand, made a furious thrust at Goodlet, who was jerked suddenly backward by the sheriff, which in all probability was the saving of Goodlet's life. Goodlet was fined fifty dollars and sent to jail. He afterward sued Judge Hall for false imprisonment. The case was sent to Vincennes, but was withdrawn before coming to trial. This manner of adjusting personal differences between Judges and lawyers, in and out of court, did not occasion as much remark in those days as it would in these latter days.

Judge Samuel Hall was President Judge of the Gibson Circuit court until he resigned April 20, 1835. Charles I. Battell, of Knox county, was the President Judge of the Gibson

Circuit court during 1835. From December 11, 1835, to January, 1846, Elisha Embree, of Gibson county, was President Judge. James Lockhart was President Judge from January, 1846, to September 21, 1851. He was a member of the Constitutional Convention of 1850, and was later elected as a representative in Congress by the Democrats of the First district, and was a member of that body at the time of his death, in 1857.

TERRITORIAL JUDICIARY.

- April 1, 1813-----Judges of the Court of Common Pleas: William Harrington, Isaac Montgomery and Daniel Putnam. Prosecuting Attorney: John Johnson.
- April 1, 1813-----The Governor "Issued a proclamation continuing the justices of the peace heretofore appointed in Knox county" who lived within the newly created county of Gibson.
- May 25, 1813-----Justices of the Peace: David Robb, John Johnson, John Braselton, Hazael (?) Putnam, Jesse Emerson, Anthony Griffin, Thomas Montgomery, Joseph Montgomery and Robert Allen.
- June 15, 1813-----Justices of the Peace: John Milburn, Hosea Smith and John Marshall.
- November 6, 1813-----Prosecuting Attorney: William Prince.
- November 20, 1813-----Judge of the Court of Common Pleas: Joseph Montgomery.
- November 20, 1813-----Justices of the Peace: John Waller.
- January 7, 1814-----Judges of the Circuit court: William Harrington, first judge; Joseph Montgomery, second judge; Daniel Putnam, third judge.
- March 27, 1814-----Justices of the Peace: Edmund Hagan and Gervas Hazleton.
- September 14, 1814-----Associate Judges of the Circuit court: Willis C. Osborn, first associate; Jesse Emerson, second associate.
- May 12, 1814-----Justice of the Peace: John McCrery.
- March 7, 1816-----Justice of the Peace: George H. Routh.
- April 20, 1816-----Justice of the Peace: George H. Routh.
- May 28, 1816-----Justice of the Peace: Adam Hope.
- August 29, 1816-----Justice of the Peace: Thomas J. Walters.

ASSOCIATE JUDGES.

- Isaac Montgomery ----February 24, 1817.
- Rowland B. Richards--February 24, 1817; resigned August, 1818.
- Jesse Emerson -----September 8, 1817; resigned July, 1820.
- Thomas Montgomery --August 22, 1818, vice Rowland B. Richards, resigned.

- Walter Wilson ----- May 9, 1821; resigned May, 1822.
 Joseph Davisson ----- August 26, 1822, vice Walter Wilson, resigned.
 Thomas Montgomery -- October 22, 1823.
 Joseph Davisson ----- October 22, 1823; failed to qualify.
 Thomas Alcorn ----- September 8, 1824, vice Joseph Davisson, who failed to qualify.
 Thomas Montgomery -- September 8, 1830, to serve seven years from February 24, 1831.
 Thomas Alcorn ----- September 8, 1830, to serve seven years from February 24, 1831.
 Patrick Payne ----- August 29, 1831, to serve seven years from February 24, 1831, vice Thomas Alcorn, removed from county.
 Robert McCrary ----- August 14, 1837, to serve seven years from February 24, 1838.
 Samuel A. Stewart ---- August 14, 1837, to serve seven years from February 24, 1838.
 Anderson F. Ely ----- August 23, 1844, to serve seven years from February 24, 1845; resigned July 11, 1850.
 James W. French ---- November 25, 1850 (special election), to serve seven years from February 24, 1845.

PROBATE JUDGES.

- Isaac Montgomery ---- September 8, 1830.
 James Devin ----- August 24, 1832; resignation filed December 10, 1836.
 John Hargrove ----- January 27, 1837, appointed to serve until August election of 1837.
 Elias S. Terry ----- August 14, 1837.
 William French ----- December 7, 1837.
 William French ----- August 13, 1839.
 Robert McCrary ----- January 11, 1845, appointed to serve until next annual election.
 Samuel A. Stewart ---- February 22, 1845, appointed to serve until next annual election.
 Samuel A. Stewart ---- August 19, 1845, to serve seven years from February 24, 1845; resigned June, 1849.
 Frederick Bruner ----- June 22, 1849, vice Samuel A. Stewart, resigned.

COMMON PLEAS JUDGES.

- John Pitcher ----- 1852-66.
 Andrew L. Robinson --- 1866-67.
 Morris S. Johnson ---- 1867-71, died in office.
 William P. Edson ---- Appointed November 25, 1871 (vice Johnson, deceased)-1872.
 William Land ----- August 3-October 28, 1872.
 John B. Handy ----- 1872-73.

DISTRICT PROSECUTING ATTORNEYS.

Harrison F. Kiger-----1852-54.
 Joseph P. Edson-----1854-56.
 Elijah M. Spencer-----1856-58.
 William P. Edson-----1858-60, resigned.
 Burr H. Pope-----Appointed June 26, 1860.
 Ellis Lewis -----1860-64.
 Charles G. Bennett----1864-66.
 William M. Hoggatt---1866-68.
 Milton W. Pearce-----1868-70.
 John Brownlee -----1870-73.

PRESIDENT JUDGES.

Benjamin Parke -----December 21, 1816-February 8, 1817, resigned.
 First circuit.
 William Prince -----Appointed February 8, 1817-January 28, 1818.
 The act of January 28, 1818, put Gibson in the
 Fourth.
 David Hart -----Appointed January 28, 1818; died in office in 1818.
 Richard Daniel -----Appointed January 2, 1819-January 21, 1822.
 James R. E. Goodlet---February 21, 1822-January 25, 1832.
 Samuel Hall -----January 25, 1832; resigned April 20, 1835.
 Charles I. Battell-----Appointed April 20, 1835-December 11, 1835.
 Elisha Embree -----December 11, 1835-January 1, 1846.
 James Lockhart -----January 1, 1846; resigned September 21, 1851.
 Alvin P. Hovey-----Appointed September 21, 1851-October 12, 1852.

CIRCUIT JUDGES.

Alvin P. Hovey-----October 12, 1852; resigned September 26, 1854.
 Third circuit.
 William E. Niblack----Appointed September 26, 1854; resigned October
 24, 1857.
 Ballard Smith -----Appointed October 24, 1857-November 1, 1858.
 M. F. Burke-----November 1, 1858; died in office in June, 1864.
 James C. Denny-----Appointed June 27, 1864-November 1, 1864.
 John Baker -----November 1, 1864-November 1, 1870.
 Newton F. Mallott-----November 1, 1870-March 6, 1873. The act of
 March 6, 1873, put Gibson in the Eleventh.
 Oscar M. Welborn-----Appointed March 12, 1873-October 24, 1909.
 Herdis F. Clements----October 24, 1909-January 29, 1913. The act of
 January 29, 1913, made Gibson the sole county in
 the Sixty-sixth, where it has since remained.
 Simon L. Vandever---Appointed February 1, 1913; elected at general
 election in 1914; terms expires October 24, 1920.

PROSECUTING ATTORNEYS.

Amos Clark -----August 9, 1824-August 14, 1826. Fourth circuit.
 Charles I. Battell-----August 14, 1826-December 30, 1832.

- John Pitcher ----- December 30, 1832-August 10, 1836.
 Eben D. Edson ----- Appointed August 10, 1836-January, 1837.
 John A. Brackenridge ----- January, 1837-December 7, 1838.
 Eben D. Edson ----- December 7, 1838-December 10, 1840.
 John Pitcher ----- December 10, 1840-August 6, 1841, resigned.
 John Ingle ----- Appointed August 6, 1841-December 10, 1841.
 James Lockhart ----- December 10, 1841-September 19, 1845.
 Eben D. Edson ----- September 19, 1845-August 27, 1846.
 Samuel S. DeBruler ----- August 27, 1846-August 27, 1848.
 Andrew L. Robinson ----- August 23, 1849-September 1, 1851.
 Harmon G. Barkwell ----- September 1, 1851-October 12, 1852.
 Andrew L. Robinson ----- October 12, 1852-November 7, 1854. Third circuit.
 Nathaniel Usher ----- November 7, 1854-November 22, 1855, resigned.
 Harmon G. Barkwell ----- Appointed November 22, 1855; resigned August 15, 1857.
 William F. Parrett ----- Appointed August 31, 1857-November 12, 1857.
 James M. Shanklin ----- November 12, 1857; resigned October 11, 1858. Commission issued again November 24, 1858, served to August 3, 1859, when Shanklin was transferred to Fifteenth.
 Richard A. Clements, Jr. ----- Appointed August 3, 1859-August 14, 1866.
 W. Ray Gardiner ----- Appointed August 14, 1866-November 3, 1866.
 Cutler S. Dobbins ----- November 3, 1866-November 3, 1872.
 Samuel H. Taylor ----- November 3, 1872-March 6, 1873. The act of March 6, 1873, put Gibson in the Eleventh.
 John C. Schafer ----- Appointed March 12, 1873-October 15, 1877.
 William H. Trippett ----- Appointed October 15, 1877-October 26, 1880.
 Arthur H. Taylor ----- October 26, 1880-November 17, 1884.
 John L. Bretz ----- November 17, 1884-November 17, 1890.
 Thomas H. Dillon ----- November 17, 1890-November 17, 1892.
 William E. Cox ----- November 17, 1892-March 8, 1895. The act of March 8, 1895, transferred Cox to the Fifty-seventh.
 James Kilroy ----- Appointed March 26, 1895-January 1, 1901.
 William Espenscheid ----- January 1, 1901-January 1, 1905.
 George W. Curtis ----- January 1, 1905-January 1, 1907.
 Clyde McGary ----- January 1, 1907-January 1, 1909.
 Sauford Trippett ----- January 1, 1909-January 1, 1913. The act of January 29, 1913, made Gibson the sole county in the Sixty-eighth, where it has since remained.
 Harvey Harmon ----- Appointed January 29, 1913-January 1, 1915.
 Oscar Lanphar ----- January 1, 1915; term expires January 1, 1917.

GRANT COUNTY.

Grant county was organized by the legislative act of January 9, 1832, and began its formal career as an independent county on the 1st of the following April. The locating commissioners selected Marion as the county seat during the summer of 1832 and the first lots in the newly selected county seat were sold on the second Monday of the following November. A court house was not erected and ready for occupancy until three years after the county was organized.

The first session of the Circuit court was held on Thursday, April 26, 1832, at the house of David Branson. The county was then attached to the Sixth judicial circuit, which was presided over by Charles H. Test as President Judge. When the first court met on the date above mentioned, Caleb Smith, one of the Associate Judges, was the only officer present and consequently court had to be adjourned, although Smith waited three days for the other Associate Judge, Samuel McClure, or Judge Test to appear. On August 8, 1832, the two Associate Judges met in an informal meeting to receive the resignation of the county clerk, but they transacted no other business than to appoint his successor. The first organized Circuit court of the county met on October 25, 1832, at the house of David Branson, but at once adjourned to the house of Riley Marshall, the newly appointed clerk, in the town of Marion. However, only the Associate Judges were present at this session, although Harvey Gregg, the prosecuting attorney of the circuit, was present. Before the court house was ready for occupancy, court was held at the houses of Riley Marshall and John Beard, both of whom lived in the county seat. The first term of the Circuit court in the new court house was held on May 5, 1834.

The first Probate court met at the house of David Branson, September 7, 1831, with Samuel McClure and Caleb Smith, the two Associate Judges, officiating. For some reason, no regular Probate Judge was elected until 1838, the Associate Judges having charge of probate matters until that time. James Trimble took the Probate bench in November, 1838, but served only one year. The first Common Pleas court in

Grant county convened for the first time on May 9, 1853, with Walter March on the bench and William Brotherton serving as the prosecutor of the court.

SUPERIOR COURT JUDGES.

Grant and Howard counties were united in a Superior court district by the act of February 10, 1897, and remained united for Superior court purposes until the act of March 1, 1909. This latter act made Howard a separate Circuit court district (the Sixty-second) and at the same time created a new Superior court district including Grant and Delaware counties. Upon the creation of the Grant-Howard Superior court district the Governor on February 11, 1897, appointed Hiram J. Brownlee Judge of the district and by subsequent election Judge Brownlee filled the office until December 5, 1902. He was followed by B. F. Harness, of Kokomo, who served until December 31, 1906, at which time Patrick H. Elliott assumed the bench. Judge Elliott's term expired December 31, 1910, and the present incumbent, Robert M. Van Atta, has filled the office since January 1, 1911. Judge Van Atta was re-elected in November, 1914, and his term will expire December 31, 1918.

ASSOCIATE JUDGES.

Caleb Smith	-----	August 8, 1831.
Samuel McClure	-----	August 8, 1831, resigned.
Daniel James	-----	October 28, 1834, to serve seven years from August 8, 1831, vice Samuel McClure, resigned.
William Massay	-----	April 23, 1838, appointed.
William Massay	-----	August 13, 1838, to serve seven years from August 8, 1838.
Caleb Smith	-----	August 13, 1838, to serve seven years from August 8, 1838.
Benjamin Furnish	----	August 25, 1845, to serve seven years from August 8, 1845.
Caleb Smith	-----	August 25, 1845, to serve seven years from August 8, 1845. Certificate of death filed August 8, 1850.
Henley James	-----	October 3, 1850, to serve seven years from August 8, 1845, to fill out unexpired term of Caleb Smith.

PROBATE JUDGES.

- James Trimble ----- August 16, 1837.
 Benoni C. Hogan ----- August 21, 1837.
 John W. Goldthwaite -- December 4, 1843, vice Benoni C. Hogan (re-
 signed), to serve until August election, 1844.
 George F. Dunn ----- August 24, 1844.
 Frederick P. Lucas --- May 9, 1848, appointed, vice George F. Dunn, re-
 signed.
 Frederick P. Lucas --- August 28, 1848, to serve seven years from date.

COMMON PLEAS JUDGES.

- Walter March ----- 1852-56.
 Henry S. Kelley ----- 1856-60.
 John Green ----- 1860-64.
 Nathaniel R. Lindsey -- 1864-65, resigned.
 William Garver ----- Appointed February 4, 1865-73.

DISTRICT PROSECUTING ATTORNEYS.

- William Brothertou --- 1852-54.
 Henry S. Kelley ----- 1854-56.
 R. T. St. John ----- 1856-58.
 John D. Chipman ----- 1858-60.
 Nathan W. Gordon --- 1860-61.
 Joel Stafford ----- 1861-62.
 Thomas S. Underhill -- 1862-64.
 James A. Strech ----- 1864-66.
 Levi Farley ----- 1866, resigned.
 August F. Shirts ----- Appointed November 17, 1866-67.
 Noah W. Parker ----- 1867-68.
 Joseph L. Custer ----- 1868-72.
 Robert B. Beauchamp -- 1872-73.

PRESIDENT JUDGES.

- Charles H. Test ----- April 1, 1832-December 11, 1835, resigned. Sixth
 circuit.
 Samuel Bigger ----- Appointed December 11, 1835-January 3, 1837, re-
 signed.
 James Perry ----- Appointed January 3, 1837-January 28, 1839. The
 act of January 28, 1839, put Grant in the Eleventh.
 Morrison Rulon ----- Appointed January 28, 1839; never qualified.
 David Kilgore ----- Appointed March 1, 1839-January 30, 1846.
 Jeremiah Smith ----- January 30, 1846-October 12, 1852.

CIRCUIT JUDGES.

- Joseph Anthony ----- October 12, 1852-January 21, 1853. The act of
 January 21, 1853, took Grant out of the Seventh
 and put it in the Eleventh.
 John U. Pettit ----- Appointed January 25, 1853; resigned August 28,
 1854.

- John Brownlee -----Appointed September 6, 1854-October 25, 1854.
 John M. Wallace-----October 25, 1854-October 26, 1860.
 Horace P. Biddle-----October 26, 1860-February 11, 1867. The act of
 February 11, 1867, put Grant in the Seventh.
 Joseph S. Buckles-----February 11, 1867-October 24, 1870. Judge Buck-
 les had been on the bench of the Seventh since
 October 26, 1858.
 Joshua H. Mellett-----October 24, 1870-March 6, 1873. The act of March
 6, 1873, put Grant in the Twenty-eighth.
 James R. Slack-----Appointed April 1, 1873; died in office in August,
 1881.
 Henry B. Saylor-----Appointed August 15, 1881-March 3, 1885. The act
 of March 3, 1885, put Grant in the Forty-eighth
 with Blackford, and Judge Saylor remained on the
 bench of the Twenty-eighth.
 William H. Carroll-----Appointed March 12, 1885-November 15, 1886.
 Robert T. St. John-----November 15, 1886-November 15, 1892.
 Joseph L. Custer-----November 15, 1892-November 15, 1898. The act of
 March 4, 1893, constituted Grant the sole county
 of the Forty-eighth, where it has since remained.
 Henry J. Paulus-----November 15, 1898; term expires November 15,
 1916.

PROSECUTING ATTORNEYS.

- William J. Brown-----April 1, 1832-December 10, 1836, resigned. Sixth
 circuit.
 Samuel Parker -----Appointed December 10, 1836-December 10, 1838.
 David Macey -----December 10, 1838-January 28, 1839. The act of
 January 28, 1839, put Grant in the Eleventh.
 Jehu T. Elliott-----February 18, 1839-August 20, 1839, resigned.
 John Brownlee -----Appointed August 20, 1838-December 5, 1839.
 Jeremiah Smith -----December 5, 1839-December 15, 1841.
 John M. Wallace-----December 15, 1841; resigned October 30, 1843.
 John Davis -----Appointed November 14, 1843-September 7, 1846.
 Joseph S. Buckles-----September 7, 1846-September 7, 1848.
 William Garver -----August 20, 1851-October 12, 1852.
 Silas Colgrove -----October 12, 1852-January 21, 1853. The act of
 January 21, 1853, took Grant out of the Seventh
 and put it in the Eleventh.
 John M. Connell-----January 25, 1853-November 9, 1855.
 Isalah M. Harlan-----November 9, 1855; resigned February 11, 1856.
 Orris Blake -----Appointed February 27, 1856-October 30, 1856.
 Charles H. Parrish-----October 30, 1856-December 1, 1858.
 Richard P. DeHart-----December 1, 1858-November 1, 1860, resigned.
 Meredith H. Kidd-----November 1, 1860-February 17, 1862, resigned.
 Thomas C. Whiteside---Appointed February 17, 1862-November 3, 1864.
 Dudley H. Chase-----November 3, 1864-February 11, 1867. The act of
 February 11, 1867, put Grant in the Seventh.

David W. Chambers	November 12, 1867-October 21, 1872.
John W. Ryan	October 21, 1872-March 6, 1873. The act of March 6, 1873, put Grant in the Twenty-eighth.
Alfred Moore	October 28, 1873-October 28, 1877.
Asbury E. Steele	October 28, 1877-October 28, 1879.
Charles W. Watkins	October 28, 1879-October 28, 1883.
Sidney W. Cantwell	October 28, 1883-October 28, 1889. The act of March 3, 1885, put Grant in the Forty-eighth, and transferred Cantwell from the Twenty-eighth to the Forty-eighth.
Charles M. Ratcliff	October 28, 1889-October 28, 1893.
Ono L. Cline	October 28, 1893-October 28, 1895.
Elias Bundy	October 28, 1895-October 28, 1897.
William M. Amsden	October 28, 1897-January 1, 1902.
Grant A. Dentler	January 1, 1902-January 1, 1906.
Elmer E. Friedling	January 1, 1906-January 1, 1908.
Wilbur E. Williams	January 1, 1908-January 1, 1910.
George M. Coon	January 1, 1910-January 1, 1914.
Wilbur E. Williams	January 1, 1914-January 1, 1916.
David M. Bell	January 1, 1916; term expires January 1, 1918.

GREENE COUNTY.

Greene county was organized by an act of the Legislature, January 5, 1821, which became effective February 5, 1821. The five locating commissioners to select the first county seat of Greene met on March 10, 1821, and reported to the county commissioners that they had located the future seat of justice on sections 9 and 10, township 7 north, range 5 west, and called the new town Burlington. The land for the county seat was donated by Thomas Bradford, Frederick Shepherd and Zebulon Hague. A court house was built on this site at a cost of two hundred and fifty dollars. By 1824 it became evident that Burlington could not be furnished with water at a reasonable expense, and the attention of the people was called to the question of moving the county seat. Various suggestions were made and the people were called upon to donate a suitable site. One Peter C. Van Slyke, a wealthy landowner in and around the present site of Bloomfield, made such a liberal offer of land that it was accepted. The ground was immediately surveyed, and the first sale of lots was set for April 22, 1824. A log court house was built in the summer of 1824, "a hewed log house, twenty-six by

twenty feet, one story and a half high, with one door and one window with twelve lights in it (eight by ten) in the lower story, with a good poplar plank floor. House to be covered with shingles." The board of justices met at Burlington for the last time in September, 1824, and immediately adjourned to meet in the new court house in Bloomfield. Burlington gradually dwindled away, until at present there is not a vestige of the former seat of justice.

The first term of Circuit court held in Greene county was held at the residence of Thomas Bradford, about a mile south of Bloomfield, in September, 1821, with Jonathan Doty as President Judge and John L. Buskirk as Associate Judge. Henry Merrick and Amory Kinney were admitted to practice as attorneys and Merrick was appointed prosecuting attorney at the first term of court. The second term of court was held in February, 1822, at Mr. Bradford's residence, with Thomas Bradford and John L. Buskirk as Associate Judges. Addison Smith served as prosecuting attorney and, together with Craven P. Hester, Thomas H. Blake and Joseph Warner, was admitted to practice at this term of court. It was at this term of court that the first jury trial was held in the county. By the time the third term of court convened in August, 1822, William Wick had become President Judge. Court again convened at the residence of Judge Bradford, but adjourned to meet at the court house in Burlington, which was then the county seat.

By the time the March, 1823, term of court convened, Martin Wines, who later became well known as a public-spirited citizen, had become Associate Judge. Smith Elkins had been chosen as prosecuting attorney and John F. Ross was admitted to practice at this term. At the October, 1823, term of court, David Goodwin, Edgar Wilson, John Law and Calvin T. Fletcher were admitted to practice. John Law afterwards became an eminent lawyer and Judge, and from 1861 to 1865 represented the First Indiana district in Congress.

The May, 1824, term of the Circuit court was held by Jacob Call, President Judge, and James Bradford and Martin Wines, Associate Judges. Thomas F. G. Adams was

admitted to practice. The October, 1824, term was presided over by John R. Porter.

At the May, 1825, term of court, which was the first held at Bloomfield, Jacob Call was President Judge and John Law prosecuting attorney. Judge Porter appeared again at the October term of court as President Judge. Gen. Jacob B. Lowe was admitted to practice. In October, 1826, Hugh L. Livingston was admitted to practice. In 1827 E. H. McJunkins, Henry Chase and Mathias C. Vanpelt were admitted to practice law, and in 1828 Mr. Griffith was admitted.

In 1830 John Law was elected by the Legislature as judge of the circuit including Greene county for a term of seven years, and E. M. Huntington was chosen as prosecuting attorney, but an act of the Legislature soon changed the district and Judge Law was legislated out of the circuit. In April, 1831, Tilghman A. Howard, who represented the Seventh Indiana district in Congress from 1839 to 1841, was admitted to practice in the Greene Circuit court. In 1840, however, Howard resigned his seat in Congress to become a Democratic candidate for governor. General Harrison's popularity, however, carried Governor Bigger and the whole Whig ticket into office. In 1842 Howard was the choice of his party for United States senator, but Edward A. Hannegan was elected. Howard later died in Texas, where he was serving in an official capacity. General W. Johnston, who had previously served a short period as adjutant-general of Indiana, presided at the October, 1830, term of the Greene Circuit court. In 1832 Amory Kinney appeared as President Judge and held the office for five years. In 1833 Rollin C. Dewey, Delana R. Eckles and Paris C. Dunning were admitted to practice law. Eckles afterward served as judge of the same court and Dunning, who had been elected lieutenant-governor on the ticket with Governor James Whitcomb in 1843, succeeded Whitcomb in the governor's chair in 1848, when Whitcomb was elected a United States senator. In 1836, Willis A. Gorman, who represented the Sixth Indiana district in Congress from 1849 to 1851, and who was a colonel in the Mexican War, a general in the Civil War and still later

governor of Minnesota, was admitted to practice in Greene county. In 1837 Elisha M. Huntington, who had served as prosecuting attorney of the Greene Circuit court, appeared as President judge. He remained on the bench only two years, when he was appointed judge of the District Court of the United States. George F. Waterman and William Smith were admitted to practice. George R. Gibson and Basil Chamber were admitted to practice in 1838. In 1839 David McDonald appeared as judge and held the office until 1852. In 1839 John S. Watts, Thomas H. Carson, Richard W. Thompson, George G. Dunn, Samuel H. Smydth, Samuel B. Gookins and Henry Secrest were admitted to practice. Thomas H. Carson, a native of Kentucky, who afterward returned to that state, served as auditor for some time and was an officer in the Union army. Samuel H. Smydth died in France, where he was filling an official position. John S. Watts was afterward appointed a judge in New Mexico by President Fillmore and spent the remainder of his life there. Richard W. Thompson represented the Seventh Indiana district in Congress from 1847 to 1849 and was secretary of the navy in President Hayes's cabinet. George G. Dunn represented the Third Indiana district in Congress from 1855 to 1857. Henry Secrest became a great judge. Samuel B. Gookins also became a great lawyer and judge. Elias S. Terry was admitted to practice in 1840, at which time he lived at Washington.

In 1841 Richard H. Rousseau and Lovel H. Rousseau located at Bloomfield and were admitted to practice law. The former served one term in the Legislature and the latter two terms in the House and one in the Senate. He was a captain in the Mexican War and became a major-general in the Civil War. At the time of his death, he was a brigadier-general in the regular army. In 1843 William G. Quick was admitted to practice. He served as prosecuting attorney for two years. In 1844, H. H. Throop, S. H. Buskirk, W. E. Taylor, A. J. Thixton and John M. Clark were admitted to practice. S. H. Buskirk was judge of the Supreme court of Indiana from 1871 to 1877. In 1845, Craven P. Hester, of Bloomington, who had been admitted to practice at the second term of court, appeared as prosecuting attorney and continued in office until

1849. At this term, John Osborn, Alanson J. Stevens, Francis M. Williams and William M. Franklin were admitted to practice. William M. Franklin was afterward prosecuting attorney, Judge of the Court of Common Pleas and Circuit court and also Supreme court commissioner from 1881 to 1885.

In 1846 Augustus L. Rhodes, Alexander McClelland and Robert Crockett were admitted to practice. Rhodes had been a student at Hamilton College with Governor A. P. Willard. He served one term as prosecuting attorney of the Greene circuit court, but in 1854 moved to California, where he served sixteen years on the Supreme bench and several terms as a Superior judge. Robert Crockett was at one time a candidate for judge of the Court of Common Pleas. In 1847 George H. Munson and Lewis Bollman were admitted to practice. Munson was a partner of George C. Dunn. In 1848 James H. Hester, Richard Clements and Samuel W. Short were admitted to the practice. Hester was the son of Craven P. Hester and afterward became a judge in adjoining circuit. Clements was afterwards Judge of the Common Pleas court of another circuit. In 1850 Allen T. Rose and W. R. Harrison were admitted to practice. In 1850 Hiram S. Hanchett, James McConnell, Wells N. Hamilton, William P. Hammond and Aden G. Cravens were admitted to practice. Hanchett, who was a student in the office of the Rousseaus, moved west soon after his admission to the bar.

In April, 1852, R. S. Clements, Jr., W. D. Griswold, Nathaniel Usher, F. T. Brown and John P. Usher were admitted to practice. John P. Usher afterward served as secretary of the interior in President Lincoln's cabinet. Judge James Hughes, who appeared as Judge of the Circuit court in 1852, was the first Circuit Judge elected by popular vote in Greene county. He resigned in 1855 and in 1856 was elected to Congress, afterward serving as judge of the Court of Claims under the administration of President Buchanan. He was a graduate of West Point and a lieutenant in the Mexican War. In 1864 he was commissioned major-general by Governor Morton and had command of the southern division of the state of Indiana. He was a member of the lower house of the Forty-fifth General Assembly and a member of the forty-sixth

and forty-seventh sessions of the Indiana State Senate. John R. Hudson, Sheridan P. Reed, William E. McClean, A. B. Carlton, E. H. C. Cavins and Andrew Humphreys were admitted to practice at the April term of the Circuit court and Albert E. Redstone, Ephraim Jackson and Jacob C. Brown at the November term of the Common Pleas court. William Clark, William Mack, John N. Evans, John T. Gunn, Francis L. Neff, Harlin Richards and Arthur M. Neill were admitted to practice law. William Clark died shortly after beginning the practice. William Mack lived at Bloomfield for some time and then moved to Terre Haute. He was speaker of the lower house of the Indiana General Assembly in 1871 and later judge of the Circuit court. John N. Evans lived at Bloomfield for a time and later moved to Washington, Daviess county.

In 1855 Alfred Dyer, John R. Stone, Theodore Reed, David Sheeks, Willis G. Neff, Francis L. Neff, John H. Huff, John C. Palmer, J. W. Burton and E. C. Flinn were admitted to practice. In 1856 J. M. Hanna appeared by appointment to hold court as judge at the April term and A. B. Carlton presided at the October term. Francis L. Neff later became colonel in the Civil War and was killed in action. Austin N. McGindley, Samuel R. Cavins, L. B. Maxwell, Sewall Coulson, Joseph Gormley, N. F. Malott, Robert M. Evans and Theodore Ogle were admitted to practice in 1856. Evans served as captain during the Mexican War and later located at Washington, D. C. In 1856 J. M. Hanna was elected judge of the Circuit court. Judge Hanna, having been elected one of the judges of the Indiana Supreme court in 1858, Solomon Claypool was appointed to fill the vacancy. During 1858, David Houston, Henry C. Hill, Isaac N. Pierce, John Baker, Elijah Eddington, Benjamin F. Cavins, George W. Throop and Franklin P. Stark were admitted to practice. In October, 1858, Solomon Claypool was elected Circuit Judge and held the office for six years. In 1859 Samuel H. Buskirk held court at the April term under appointment from Judge Claypool. At the October term, William M. Franklin acted as special prosecuting attorney. During the year, William B. Squire, Henry C. Owen, John T. Smith, William C. Andrews, William J. McIn-

tosh, Nathan Kimball, William Blackburn, John Masters, James Jackson and Joseph W. Briggs were admitted to practice. In 1862 Judge James A. Scott held court under appointment from Judge Claypool. In 1864 David Sheeks held court at the October term under appointment. At the October election, 1864, Delana R. Eckels was elected judge of the Circuit court and held the office for six years.

Among the lawyers admitted in 1866 were John Hanna and John P. Baird, the former of whom had been district attorney of the United States and who afterward served as a member of Congress. John P. Baird was an able lawyer and served in the Civil War as a colonel. In 1869, among the lawyers admitted to practice, were Cyrus F. McNutt and Lucien Shaw. The latter practiced in Bloomfield until 1883 when he moved to California and became one of the judges of the Supreme court of that state. In 1867 Solomon Turman served as Judge by appointment from Judge Claypool. William M. Franklin was elected Judge in 1870 and served until 1873, when David Laird became judge. He was succeeded by John C. Robinson in 1876.

The Fourteenth judicial circuit, composed of Greene and Sullivan counties, was created by an act of the Legislature in 1883. Prior to that time, Greene, Owen and Morgan counties constituted one circuit and Sullivan and Vigo were included in one. In the redistricting, Owen and Morgan were made one circuit, Vigo was made a circuit by itself, and Greene and Sullivan created as the Fourteenth circuit. George W. Buff, of Sullivan, had been elected judge of the old Sullivan and Vigo circuit. When the new circuit was created, Judge Buff was appointed by the governor as Judge of the Greene and Sullivan circuit. He served until 1888 and was then succeeded by John C. Briggs, who served until 1894. Judge Briggs was succeeded by William W. Moffett, of Greene county, who served until 1900. Orion B. Harris, of Sullivan, succeeded Judge Moffett in 1900 and served until 1906, when he was succeeded by Judge Charles E. Henderson, of Greene county. Judge Henderson served until 1912, when he was succeeded by Theodore E. Slinkard, whose term expires November 14, 1918.

ASSOCIATE JUDGES.

- Norman W. Pierce-----April 27, 1821.
 John L. Buskirk-----April 27, 1821, resigned.
 Martin Wines -----September 18, 1822, vice John L. Buskirk, re-
 signed; removed from county, 1826.
 Thomas Bradford ----August 27, 1821; resigned August 8, 1825.
 William B. Marrs-----September 5, 1825, vice Thomas Bradford, re-
 signed; removed from county.
 Levi Fellows -----September 1, 1826 (special election), vice Martin
 Wines, removed; resigned October, 1830.
 Robert Smith -----September 1, 1826 (special election), vice William
 B. Marrs, removed; died in office, January, 1829.
 Samuel R. Cavins-----March 20, 1829 (special election), vice Robert
 Smith, deceased; resigned June, 1834.
 Norman W. Pierce----December 27, 1830 (special election), vice Levi
 Fellows (removed), to serve from December 27,
 1830; resigned July, 1832.
 John Robinson -----September 3, 1832 (special election), to serve from
 December 27, 1830; died November, 1833.
 William S. Cole-----February 10, 1834 (special election), vice John
 Robinson (deceased), to serve seven years from
 December 27, 1830.
 Thomas Bradford ----August 22, 1834 (special election), vice Samuel R.
 Cavins (resigned), to serve seven years from
 March 20, 1829.
 Thomas Bradford ----August 14, 1836, to serve seven years from date;
 died May, 1841.
 Levi Fellows -----March 17, 1838, to serve seven years from March
 17, 1838; resigned June, 1841.
 Lewis B. Edwards----August 9, 1841, to serve seven years from August
 14, 1836, vice Thomas Bradford, deceased.
 Joel Sexson -----August 9, 1841, to serve seven years from March
 17, 1838, vice Levi Fellows, resigned.
 Louis B. Edwards----August 23, 1843, to serve seven years from August
 14, 1843; resigned, 1848.
 Joel Sexson -----August 24, 1844, to serve seven years from March
 17, 1845.
 Jesse Rainbolt -----November 24, 1848, to serve seven years from
 August 14, 1843, vice Louis B. Edwards, resigned.
 Jesse Rainbolt -----August 23, 1850, to serve seven years from August
 14, 1850.
 Thomas P. East-----August 22, 1851, to serve seven years from March
 17, 1852.

PROBATE JUDGES.

- Willis D. Lester-----August 28, 1829, to serve seven years from date.
 Willis D. Lester-----August 14, 1836, to serve seven years from August
 28, 1836.

John R. Stone..... August 23, 1843, to serve seven years from August 28, 1843.

Willis D. Lester..... September 4, 1850, to serve seven years from August 28, 1850.

COMMON PLEAS JUDGES.

William M. Franklin...1852-56.

Frederick T. Brown...1856-64.

William M. Franklin...1864-68.

Harry Burns1868-73.

DISTRICT PROSECUTING ATTORNEYS.

Fred T. Brown.....1852-54.

Oliver H. P. Ash.....1854-56.

Michael Malott1856-58.

George W. Throop.....1858-60.

Harvey Burns1860-62.

Samuel W. Curtis.....1862-64.

Patrick Harvey1864-66.

John C. Robinson.....1866-68.

Courtland C. Matson...1868-72.

Samuel M. McGregor...1872-73.

PRESIDENT JUDGES.

Jonathan Doty February 5, 1821-December 31, 1821. The act of December 31, 1821, took Green out of the First and put it in the Fifth.

William W. Wick..... Appointed February 7, 1822-January 14, 1824. The act of January 14, 1824, put Greene in the First.

Jacob Call January 14, 1824-July 28, 1824, resigned.

John R. Porter..... Appointed July 28, 1824-January 20, 1830. The act of January 20, 1830, put Greene in the Seventh.

John Law Appointed January 25, 1830-August 10, 1831, resigned.

General W. Johnston... Appointed August 10, 1831-January 21, 1832.

Amory Kinney January 21, 1832-January 25, 1837.

Elisha M. Huntington... January 25, 1837-January 28, 1839. The act of January 28, 1839, put Greene in the Tenth.

David McDonald January 28, 1839-October 12, 1852.

CIRCUIT JUDGES.

James Hughes October 12, 1852; resigned July 2, 1856. Sixth circuit.

Ambrose B. Carlton... Appointed July 2, 1856-October 30, 1856.

James M. Hanna..... October 30, 1856; resigned December 18, 1857, to become a member of the Supreme court of the state.

Solomon Claypool ---- Appointed December 18, 1857-November 6, 1864.

- Delana R. Eckles.....November 6, 1864-November 6, 1870.
- William M. Franklin...November 6, 1870-March 6, 1873. The act of March 6, 1873, put Greene in the Fifteenth.
- David T. Laird.....March 6, 1873-November 6, 1876. Judge Laird had been on the bench in the Fifteenth since October 24, 1870.
- John C. Robinson.....November 6, 1876-November 14, 1882.
- Ambrose M. Cumming...November 14, 1882-February 20, 1883. The act of February 20, 1883, put Greene in the Fourteenth.
- George W. Buff.....February 20, 1883-November 14, 1888. Judge Buff had been on the bench in the Fourteenth since November 14, 1882.
- John C. Briggs.....November 14, 1888-November 14, 1894.
- William W. Moffett....November 14, 1894-November 14, 1900.
- Orion B. Harris.....November 14, 1900-November 14, 1906.
- Charles E. Henderson...November 14, 1906-November 14, 1912. The act of February 16, 1911, made Greene the sole county in the newly created Sixty-third, where it has since remained. Judge Henderson was transferred from the Fourteenth to the Sixty-third.
- Theodore E. Slinkard...November 14, 1912; term expires November 14, 1918.

PROSECUTING ATTORNEYS.

- John Law -----August 9, 1824-January 20, 1830. First circuit. The act of January 20, 1830, put Greene in the Seventh.
- E. M. Huntington.....January 25, 1830-January 25, 1832.
- John H. Dowden.....January 25, 1832-April 9, 1833, died.
- Erasmus H. McJunkin...Appointed April 9, 1833-August 14, 1834, died.
- John Cowgill -----Appointed August 14, 1834-December 4, 1834.
- David McDonald -----December 4, 1834-August 17, 1837, resigned.
- John Cowgill -----Appointed August 17, 1837-February 13, 1838.
- Delana R. Eckles.....February 13, 1838-January 28, 1839. The act of January 28, 1839, put Greene in the Tenth.
- John I. Watts.....February 1, 1839-February 1, 1843.
- William G. Quick.....February 1, 1843-February 1, 1845.
- Craven P. Hester.....February 1, 1845-February 1, 1849.
- William M. Franklin...August 23, 1851-October 12, 1852. Sixth circuit.
- William E. McLean....October 12, 1852-November 7, 1854.
- Ambrose B. Carlton...November 7, 1854; resigned March 29, 1855.
- Theodore Read -----Appointed April 3, 1855-August 2, 1855, resigned.
- Francis L. Neff.....Appointed August 6, 1855-November 2, 1856.
- Milton A. Osborn.....November 2, 1856-November 6, 1858.
- Isaac N. Pierce.....November 6, 1858-November 6, 1860.
- Willis G. Neff.....November 6, 1860-November 6, 1864.
- Michael Malott -----November 6, 1864-November 6, 1866.
- Jacob S. Broadwell....November 6, 1866-November 6, 1868.

- John C. Robinson-----November 6, 1868-November 1, 1872.
- Courtland C. Matson--November 1, 1872-March 6, 1873. The act of March 6, 1873, put Greene in the Fifteenth.
- Henry Burns -----Appointed March 12, 1873-October 29, 1873.
- Ambrose M. Cuning--October 29, 1873-October 29, 1877.
- Samuel O. Pickens----October 29, 1877-October 29, 1881.
- John D. Alexander----October 29, 1881-October 29, 1885. The act of February 29, 1883, put Greene in the Fourteenth, and transferred Alexander from the Fifteenth to the Fourteenth.
- Samuel W. Axtell-----October 29, 1885-October 29, 1887.
- William C. Hultz-----October 29, 1887-October 29, 1891.
- William L. Slinkard---October 29, 1891-October 29, 1895.
- Charles D. Hunt-----October 29, 1895-October 29, 1899.
- Edward W. McIntosh--October 29, 1899-January 1, 1902.
- John A. Riddle-----January 1, 1902-January 1, 1904.
- John W. Lindley-----January 1, 1904-January 1, 1906.
- James B. Filbert-----January 1, 1906-January 1, 1908.
- Walter F. Wood-----January 1, 1908-January 1, 1910.
- James M. Hudson-----January , 1910-January 1, 1913. The act of February 16, 1911, put Greene in the Sixty-third, where it has since remained, and the same act transferred Hudson from the Fourteenth to the Sixty-third.
- William L. Rude-----January 1, 1913-January 1, 1915.
- W. Ray Collins-----January 1, 1915; term expires January 1, 1917.

HAMILTON COUNTY.

Hamilton county was organized out of a part of Marion county by an act of the General Assembly, approved January 8, 1823. On March 1, 1824, three commissioners, Martin M. Ray, John Sample and Benjamin I. Blythe, who had been appointed by the Legislature to fix the seat of justice, met at the home of William Connor, at whose house the business of the county had been previously transacted, and selected the site of Noblesville as the county seat.

On September 25, 1824, at the first session of the Board of County Justices, the Sheriff was ordered to sell the clearing of the public square preparatory to the erection of a temporary court house. The first court house was built on the style of pioneer architecture for such purposes, and served the county for about four years. Preparations were then made for the erection of a second court house, and this second build-

ing, erected on the public square, served the purpose of the county until 1877, when the contract for the construction of the present court house was awarded, at a cost of ninety-nine thousand, nine hundred and fifty dollars. In 1904 substantial repairs were made upon this building at a cost of nearly twenty-one thousand dollars.

The first Circuit court was organized in Hamilton county in August, 1823, at the home of William Connor, a few miles south of the present site of Noblesville, on White river, with William W. Wick, of Indianapolis, as Presiding Judge of the district, and John Finch and William C. Blackmore as Associate Judges. Hamilton county was at that time a part of the Fifth Judicial Circuit, which included, besides Hamilton, Lawrence, Monroe, Owen, Marion, Morgan, Greene, Henry, Rush, Decatur, Bartholomew, Shelby and Jennings counties. Madison, Hancock, Hendricks, Johnson, Carroll and Cass counties were afterwards added to the circuit.

The following paragraph is of interest as throwing light upon the activities of Hamilton county's first court: "As the official duties of this early court of Hamilton county were not supposed to be very arduous, the parties concerned, including the honorable court and James M. Ray, a lawyer of Indianapolis, and a number of witnesses, together with a few hangers-on who wished to be connected in some way with the official crowd, started in a frolicsome manner to the improvised 'court house' by way of the river. Their canoe was a large one, and was apparently well manned and equipped for the journey. Besides the men, it contained a 'stock of provisions, a lot of blankets, some cooking utensils, and a keg of whiskey.' Before the company had proceeded far on their journey, the boat seemed to be getting very unsteady, which fact was not due to the agitation of the water, for White river was placid as a summer day, but rather to the 'extracted contents of that keg of whiskey.'" Our early historian so describes the result of imbibing too freely from said keg. The first petit jury were composed of thirty-six "discreet house-holders," the names having been selected from a list of "taxable property owners."

The first session of court lasted but two days, the jurors

receiving seventy-five cents per day, the bailiff the same, and the Associate Judges two dollars per day. At the February, 1824, term of court, James Gilmore, Bethuel F. Morris, Daniel B. Wick and E. C. Wilson were admitted to the practice of law. At the April term, C. J. Johnson, James Rariden, Cyrus Finch and Josiah F. Polk were added to the list of lawyers. Polk, being the only resident attorney, was appointed by the Judge as prosecuting attorney for that term of court, Daniel B. Wick, a non-resident, having served at the previous session. At the October, 1824, term of court, Harvey Gregg presented his commission as prosecuting attorney for the circuit. The commission was duly examined by Judge Wick, and Gregg was duly sworn according to law.

The President Judges who presided over the Circuit court in Hamilton county from the time it was organized in 1823 until 1850, were the same Judges who practiced in Marion county and in a number of the other counties in the central part of the state. During this period of twenty-seven years, Hamilton was in the Fifth circuit, the act of January 12, 1850, putting it in the Eleventh with Delaware, Grant, Blackford, Jay, Randolph and Madison. Jeremiah Smith was the President Judge of this circuit from January 12, 1850, until the new Constitution went into operation October 12, 1852.

When the state was divided into ten circuits by the act of June 17, 1852, Hamilton was again placed in the Fifth circuit, the other counties in the circuit being Johnson, Hendricks, Hancock, Tipton and Madison. W. W. Wick, who had been the first Judge of the Fifth by election in 1852, served until February 1, 1859, when an act of the Legislature took Hamilton out of the Fifth and placed it in the Seventh with Delaware, Blackford, Hancock, Madison, Tipton and Howard. Joseph S. Buckles had been on the bench of this circuit since the fall of 1858, and he was still presiding over the circuit when the act of February 11, 1867, put Hamilton in the Seventeenth.

On February 11, 1867, when Hamilton, Tipton, Howard, Madison counties were made the Seventeenth judicial circuit, Henry A. Brouse was appointed Judge and served until October 19, 1867, when John Davis ascended the bench as the

result of election. In 1870, his health having failed until he was unable to attend to his judicial duties, he appointed Eli B. Goodykoontz, of Anderson, to act as Judge pro tem at the March and September terms of the Hamilton Circuit court. The illness of the regular Judge having increased so that he became wholly incompetent, Governor Conrad Baker, in 1871 (March 4) commissioned James O'Brien as Judge of the Circuit court during the disability of Davis. Afterwards, when Thomas A. Hendricks was Governor, the Legislature having placed Hamilton with Madison in the Twenty-fourth circuit, he appointed Winburn R. Pierce, of Anderson, Judge pro tem, who filled out the remainder of Davis' term. Judge Harvey Cravens, of Pendleton, a colonel in the Civil War, who was elected to serve six years, began his judicial career in October, 1873. The dockets were loaded and he drove the lawyers like a taskmaster, opening court at daylight and continuing until late in the evening, indeed sometimes all night. Eli B. Goodykoontz followed Judge Cravens and served from 1879 to 1885.

The era of natural gas in Hamilton and Madison counties, comprising the Twenty-fourth judicial circuit, began in 1887, and the work of the courts as well as business generally grew rapidly. In 1889, during the tenure of David Moss (1885-91), the Legislature constituted Madison county the Fifteenth judicial circuit, and continued Hamilton county as the Twenty-fourth. In October, 1891, Richardson R. Stephenson, having been elected at the preceding general election, took up the duties of Judge. A notable case before the court at that time was the celebrated McDonald will case. Joseph E. McDonald was a great lawyer, and for more than thirty years before his death was prominent in state and national politics, having been a United States senator. He had married a second time, and, it seems, had made a will. The instrument probated in Marion county as his last will was contested by his son on the principal ground that it was a forgery, and was defended by his widow. Property of large value was involved and the standing of the parties concerned, the wide reputation of the deceased senator, and the issues of serious import caused

the trial to be fraught with tense dramatic interest. The jury found the will invalid.

Judge Stephenson served until he resigned on September 15, 1897. The Governor appointed John F. Neal, who had been elected to the bench the preceding election, to fill the unexpired term of Stephenson. Judge Neal began his regular term on October 19, 1897, and was followed by Ira W. Christian, who filled the bench from 1903 to 1909. Meade Vestal followed Judge Christian and gave way to the present Judge, Ernest E. Cloe, on October 19, 1915.

Josiah F. Polk, one of the early prosecuting attorneys of the Hamilton Circuit court, in conjunction with William Conner, laid out the town of Noblesville. Fabius N. Finch, Judge of the Circuit court (1842-43), and a resident of Johnson county, later removed to Indianapolis, where he practiced law for many years. Jacob Robbins, John Hutchins, Francis Lindsey, Thomas H. Bowles and Joseph Robinson were early lawyers of whom no personal data are available. Earl S. Stone, one of the Probate and Common Pleas Judges, made a splendid record. William Garver, not only was a Common Pleas Judge, but held other important offices. David Moss, who was a resourceful and effective lawyer, concluded his career with a term on the Circuit bench from 1885 to 1891. W. W. Conner was a man of charming personality, a favorite with the people, and undoubtedly the most popular speaker who has ever lived in the county. Gustavus H. Voss was a shrewd lawyer and had a large business. He became very wealthy and subsequently moved to Indianapolis. DeWitt C. Chipman attained some prominence before he removed to Anderson. Jonathan W. Evans, who was familiarly known as "Bill" Evans, was a brilliant advocate, magnetic, admired and successful. James O'Brien, who served as Circuit Judge for a short time, was later Judge of the Howard and Tipton circuit, having removed to Kokomo. Alexander H. Conner began the practice of law in Noblesville, later removed to Indianapolis, and subsequently was elected state auditor. Thomas J. Kane, who was a virile and tireless fighter at the Noblesville bar, enjoyed a large practice. William Neal, who resided at Cicero, was an energetic

and industrious business man. He was one of the last Associate Judges. Augustus F. Shirts, energetic and successful attorney and influential citizen, was the author of "Primitive History of Hamilton County." Richardson R. Stephenson gained a state-wide reputation as a jurist while serving as a Circuit Judge of this county. Theodore P. Davis, who was a capable and rapid worker, enjoyed an extensive practice in the law, and served as one of the Judges of the Appellate court from 1893 to 1897. He later became a resident of Indianapolis.

ASSOCIATE JUDGES.

William C. Blackmore.....	May 2, 1823.
John Finch.....	May 2, 1823.
David Osborn.....	August 20, 1829, to serve seven years from May 2, 1830.
Joshua Cottingham.....	August 20, 1829, to serve seven years from May 2, 1830.
William E. Emmons.....	August 10, 1836, to serve seven years from May 2, 1837; resigned, May, 1842.
David Osborn.....	August 10, 1836, to serve seven years from May 2, 1837; resigned, July, 1838.
William D. Rooker.....	August 17, 1838 (special election), vice David Osborn (resigned), to serve seven years from May 2, 1837; resigned, June, 1841.
Jonathan Colborn.....	August 16, 1841 (special election), vice William D. Rooker (resigned), to serve seven years from May 2, 1837.
William S. Goe.....	August 8, 1842 (special election), vice William E. Emmons (resigned), to serve seven years from May 2, 1837.
Jonathan Colborn.....	August 14, 1843, to serve seven years from May 2, 1844.
Jesse Wilson.....	August 19, 1850, to serve seven years from May 2, 1851.
William Neal.....	August 19, 1850, to serve seven years from May 2, 1851.

PROBATE JUDGES.

John Finch.....	August 20, 1829.
John Finch.....	August 10, 1836; resigned, July, 1840.
Joshua Cottingham.....	August 11, 1840, resigned.
Lucius H. Emmons.....	April 1, 1844, vice Joshua Cottingham, resigned.
Haymond W. Clark.....	August 10, 1844, to serve seven years from date.
Haymond W. Clark.....	August 22, 1851, to serve seven years from date.

THE COUNTY COURTS

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COMMON PLEAS JUDGES.

Earl S. Stone.....1852-56.
 Nathaniel R. Lindsey..1856-60.
 John Green.....1860-64.
 Nathaniel R. Lindsey..1864-5, resigned.
 William Garver.....Appointed February 4, 1865-73.

DISTRICT PROSECUTING ATTORNEYS.

C. E. Shipley.....1852-54.
 William Brown.....1854-56.
 James A. Gray.....1856-57, removed from state.
 Oliver T. Baird.....Appointed June 10, 1857; appointment set aside by
 court on account of return of Gray.
 James A. Gray.....1857-58.
 Barsabas Giltner.....1858-60.
 Nathan W. Gordon.....1860-61.
 Joel Stafford.....1861-62.
 Thomas S. Underhill..1862-64.
 James A. Strech.....1864-66.
 Levi Farley.....1866, resigned.
 August F. Shirts.....Appointed November 17, 1866-67.
 Noah W. Parker.....1867-68.
 Joseph L. Custer.....1868-72.
 Robert B. Beauchamp..1872-73.

PRESIDENT JUDGES.

William W. Wick.....April 7, 1823-January 20, 1825, resigned. Fifth
 circuit.
 Bethuel F. Morris.....Appointed January 20, 1825-December 4, 1834, re-
 signed.
 William W. Wick.....Appointed December 4, 1834-August 2, 1839, re-
 signed.
 James Morrison.....Appointed August 2, 1839-August 15, 1842.
 William Quarles.....August 15, 1842; returned commission September
 28, 1842.
 Stephen Major.....Appointed September 28, 1842; declined to accept.
 Fabius M. Finch.....Appointed October 6, 1842-January 2, 1843.
 William J. Peaslee.....January 2, 1843-September 17, 1849, resigned.
 William W. Wick.....Appointed September 17, 1849-January 12, 1850.
 The act of January 12, 1850, put Hamilton in the
 Eleventh.
 Jeremiah Smith.....January 12, 1850-October 12, 1852.

CIRCUIT JUDGES.

William W. Wick.....October 12, 1852-February 1, 1859. The act of
 February 1, 1859, took Hamilton out of the Fifth
 and put it in the Seventh.

- Joseph S. Buckles..... February 1, 1859-February 11, 1867. The act of February 11, 1867, put Hamilton in the Seventeenth.
- Henry A. Brouse..... Appointed February 18, 1867-October 19, 1867.
- John Davis..... October 19, 1867-March 4, 1871.
- James O'Brien..... Appointed March 4, 1871-March 6, 1873. The act of March 6, 1873, put Hamilton in the Twenty-fourth.
- Winburn R. Pierce..... Appointed March 29, 1873-October 19, 1873.
- Hervey Cravens..... October 19, 1873-October 19, 1879.
- Eli B. Goodykoontz..... October 19, 1879-October 19, 1885.
- David Moss..... October 19, 1885-October 19, 1891. The act of February 14, 1889, made Hamilton the sole county in the Twenty-fourth, where it has since remained.
- Rich. R. Stephenson... October 19, 1891, resigned, September 15, 1897.
- John F. Neal..... Appointed September 15, 1897-October 19, 1903.
- Ira W. Christian..... October 19, 1903-October 19, 1909.
- Meade Vestal..... October 19, 1909-October 19, 1915.
- Ernest E. Cloe..... October 19, 1915; term expires October 19, 1921.

PROSECUTING ATTORNEYS.

- Harvey Gregg..... August 9, 1824-August 9, 1825. Fifth circuit.
- Calvin Fletcher..... August 9, 1825-August 14, 1826.
- James Whitcomb..... August 14, 1826-January 14, 1829.
- W. W. Wick..... January 14, 1829-December 15, 1830, resigned.
- Phillip Sweetzer..... December 15, 1830-March 10, 1831, resigned.
- Hiram Brown..... Appointed March 10, 1831-December 12, 1831.
- Harvey Gregg..... December 12, 1831-April 11, 1833.
- William Herod..... Appointed April 11, 1833-December 9, 1836, resigned.
- William Quarles..... Appointed December 9, 1836-April 13, 1839, resigned.
- William J. Peaslee..... Appointed April 13, 1839-January 29, 1841.
- Hugh O'Neal..... January 29, 1841-January 29, 1843.
- Abram A. Hammond... January 29, 1843-January 29, 1847.
- Edward Lander..... January 29, 1847-January 29, 1849. The act of January 12, 1850, put Hamilton in the Eleventh.
- William Garver..... August 20, 1851-October 12, 1852.
- Reuben A. Riley..... October 12, 1852-October 27, 1854. Fifth circuit.
- DeWitt C. Chapman... October 27, 1854-November 2, 1856.
- Peter S. Kennedy..... November 2, 1856-November 2, 1858.
- William P. Fishback... November 2, 1858-February 1, 1859. The act of February 1, 1859, took Hamilton out of the Fifth and put it in the Seventh.
- David Moss..... October 31, 1859-October 28, 1861.
- John A. Harrison..... October 28, 1861-November 12, 1865.

- Lemuel G. Gooding----- November 12, 1865-February 11, 1867. The act of February 11, 1867, put Hamilton in the Seventeenth.
- Nicholas VanHorn----- Appointed February 18, 1867-October 25, 1867.
- William O'Brien----- October 25, 1867-October 24, 1870.
- James T. Elliott----- October 24, 1870-March 6, 1873. The act of March 6, 1873, put Hamilton in the Twenty-fourth.
- Franklin M. Trissal---- Appointed March 29, 1873-October 22, 1873.
- Joel Stafford----- October 22, 1873-October 22, 1875.
- Augustus S. McAllister. October 22, 1875; resigned, February 7, 1876.
- Francis M. Householder. Appointed February 7, 1876-October 24, 1878.
- Thomas B. Orr----- October 24, 1878-October 25, 1880.
- William A. Kettinger... October 25, 1880-November 17, 1884.
- David W. Wood----- November 17, 1884-November 17, 1886.
- John F. Neal----- November 17, 1886-November 17, 1888.
- David W. Patty----- November 17, 1888-November 17, 1890. The act of February 14, 1889, made Hamilton the sole county in the Twenty-fourth, where it has since remained.
- Simon D. Stuart----- November 17, 1890-November 17, 1892.
- David J. McMath----- November 17, 1892-November 17, 1894.
- L. S. Baldwin----- November 17, 1894-November 17, 1898.
- John E. Garver----- November 17, 1898-January 1, 1901.
- J. Frank Beals----- January 1, 1901-January 1, 1903.
- Fred E. Hines----- January 1, 1903-January 1, 1907.
- Cassius M. Gentry----- January 1, 1907-January 1, 1911.
- Roscoe R. Foland----- January 1, 1911-January 1, 1913.
- George W. Osborn----- January 1, 1913-January 1, 1915.
- Ananias Guy----- January 1, 1915; term expires January 1, 1917.

HANCOCK COUNTY.

Hancock county was first created by the legislative act of January 26, 1827, but it took another act (December 24, 1827) to get the county started. This latter act provided that the county should be formally organized on March 1, 1828. The locating commissioners selected the present town of Greenfield for the county seat and its central location has proved so satisfactory that no other town in the county has ever been considered for the county seat. The first Circuit court in Hancock county was held in March, 1828, at the log cabin of Samuel B. Jackson, which stood east of Greenfield on the old national road. Bethuel F. Morris was the President Judge and

his two Associates were Jacob Jones and James Stevens. James Whitcomb, later Governor of Indiana, was the first prosecuting attorney.

Hancock was placed in the Fifth circuit upon its organization in 1828, and remaining in this circuit until the new Constitution was adopted in 1852. Practically all the President Judges during this period were residents of Indianapolis and all of them have been noticed in other chapters. Under the old Constitution there were several lawyers at Greenfield who attained more than a local reputation, among them being Thomas D. Walpole, Reuben A. Riley (father of the poet, James Whitcomb Riley) and David S. Gooding.

One of the most interesting cases of the early days was a malpractice charge placed against Walpole, February 25, 1835. Walpole was in the court on this date to answer to the charge and on the following morning the case was set for trial. The court docket has the following entry apropos of the case: "Now comes as well the plaintiff by his attorney as the defendant in his own proper person who admits the receipt of a copy of the charges and specifications aforesaid, and files his answer thereto, and the parties submit the matter to the court. Whereupon all and singular, the premises being seen, and the evidence adduced by the parties being fully heard and understood, the court do say that the respondent, the said Thomas D. Walpole, is not guilty as he is charged in the first and second specifications aforesaid, and that the said respondent is guilty in manner and form as he stands charged on said third specification. Wherefore it is considered, ordered and adjudged by the court that said respondent, for his malpractice and misconduct aforesaid, whereof he is convicted as aforesaid, be forever deprived of his franchise and privilege as such attorney and counselor-at-law as aforesaid, and that he be no more permitted to practice as such, under, or by virtue of his license whereof he is now possessed."

Walpole immediately "moved the court to arrest and stay judgment upon their finding, and the conviction aforesaid, for the cause that said third specification whereupon said Walpole is convicted as aforesaid is insufficient in law to warrant any judgment thereon." Whatever action may have

been taken following this motion by Walpole, the next entry on the court record is sufficiently explanatory as to what was done. "And the premises being seen and understood, it seems to the court that said third specification is sufficient to warrant judgment thereon. It is therefore considered that the said Walpole take nothing by his said motion."

When a motion was made, April 4, 1836, to admit Walpole to practice for the term then in session, it was granted. A motion was overruled four days later that he be again admitted to practice. On October 6, 1836, Walpole was admitted to practice as an attorney only in the presence of the Associate Judges. He was admitted in the presence of the full court, on January 19, 1838.

Walpole figured in a large number of lawsuits in which he was a party, frequently appearing as plaintiff, but more often as defendant, nor were proceedings against him limited to civil actions. One of the ludicrous indictments returned against him was for disturbing a lawful meeting.

Most of the lawyers of Hancock county have always been active in politics. Thomas D. Walpole, R. A. Riley and David S. Gooding, among the first to become established in the county, were practical politicians. Walpole and Gooding were at first Whigs, and Riley was a Democrat until the repeal of the Missouri Compromise in 1854. In the latter fifties Gooding and Walpole were Democrats and Riley was a Whig. With the opening of the Civil War, James L. Mason became the Democratic leader in the county, while Gooding, Riley and William R. Hough were the leaders in the Union party. Lemuel W. Gooding was also active in the Union party during the war and remained active as a Republican for several years after the war. He was chairman of the Republican county central committee in 1867-8. Montgomery Marsh, an active Democrat all his life, was the chief agitator in stirring up interest in the gas situation in 1886. Charles G. Offutt and Ephraim Marsh entered the political arena a few years after the war and remained active Democrats for thirty-five years. The late Stokes Jackson entered the legal profession through politics. Judge Felt has been a successful politician and has held public office probably more than half of the time since

entering the profession. He has been on the Appellate bench since 1911. R. A. Black was a prominent Republican and William A. Hough's name is frequently mentioned in Republican circles among the eligibles for Congress. Practically all members of the bar now take an active interest in politics. They never refuse to serve their respective parties with their best judgment, nor do they shun the responsibilities of public office when the importunity of friends becomes irresistible.

The majority of attorneys admitted during the first years of the county's history were Indianapolis attorneys. Others whose names appear upon the roll came from Noblesville, Shelbyville, Richmond and Muncie. "Circuit riders" followed the Judge from court to court in the judicial circuit. Calvin Fletcher, Ovid Butler and the Browns were Indianapolis attorneys. James B. Ray and Abram A. Hammond, both of Indianapolis, transacted quite a large amount of legal business before the court in its early history. Both of these men later became Governors of Indiana. The appearance of Christian Nave and William Quarles is noted in many cases. Quarles, especially, attended many terms of court. He was from Indianapolis.

Thomas D. Walpole was first resident attorney who grew into prominence. He had a checkered career as an attorney and politician. Shortly before the Civil War he removed to Indianapolis. While in Greenfield he lived in the property now occupied by Dr. Edward Howard, just east of the New building.

George W. Julian lived in Greenfield for several years. He came from Wayne county and later returned to that county. He was rather a prominent attorney and served six terms in Congress. He was the leader of the Free Soil party not only in Indiana but in the national councils of the party.

The names of D. M. C. Lane, Reuben A. Riley, James Rutherford and David S. Gooding were added to the list of local attorneys during the forties. Lane's name appears in the record frequently for several years, but he does not seem to have attained any special distinction at the bar. James Rutherford was in turn, county school examiner, clerk of

the court, and practicing attorney. He is said to have been a very scholarly man, but he became dissipated and his life was cut short. Reuben A. Riley was a practitioner for almost half a century. He and Rutherford were partners for a short time about 1848. Several of the younger men read law in his office, and later he and William R. Hough were partners for a time. Riley was not only an able, conscientious lawyer, but he took a general interest in public affairs. Some of his poems and speeches that still remain in print show him to have been gifted along several lines. David S. Gooding was a successful trial lawyer, but he gave a great deal of attention to politics. He possessed a good presence, was an able speaker, and for a time had a remarkable influence in the county.

During the fifties James L. Mason, Montgomery Marsh, Lemuel W. Gooding, William R. West, David VanLaningham, William R. Hough and George Y. Atkison were added to the number of local attorneys. James L. Mason became a prominent Democrat during the war, and built up a lucrative practice during that time. A number of later attorneys read law in his office. He came from Union county and taught school in Greenfield for several terms. Montgomery Marsh possessed rather limited attainments as an attorney, but took an active interest in public affairs, and especially in politics. Lemuel Gooding served one term as county recorder, and one term as district attorney. He and his brother, David S., were partners for a time, but David seems to have been in politics so much that Lemuel hung out a shingle of his own. When the temperance fights came on in 1859, and following, David VanLaningham usually represented the liquor interests, and Reuben A. Riley the remonstrators. William R. Hough came into prominence during the Civil War. Gooding was in politics. Riley was at the front, and this left the legal field very largely to Hough and James L. Mason. The record of these years attests the fact that Hough was an unusually successful lawyer. In following matters up in the Circuit court or before the county commissioners, one almost develops the habit of expecting to see the cause he represented successful. Judge West served one term as county recorder. The com-

missioners' records, as well as the court records, show that for a time he had a pretty fair practice. George Y. Atkinson was a farmer and a man of general affairs. He was a man of unusual influence in the county, but he scarcely ever fought his legal battles alone.

During the Civil War, David Moss, of Noblesville, had a large practice in this court. Martin M. Ray, of Shelbyville, Walter March, of Muncie, and John L. Ketcham, father of William Ketcham, were also quite frequently in court.

Following the Civil War Adams L. Ogg opened a law office in Greenfield, but practically all of his time was given to the prosecution of pension claims of the soldiers. He was very successful in this field, and procured more pensions for his comrades, likely, than were procured by any other attorney at the bar. He also procured some of the largest pensions that were awarded to the soldiers of this county.

Within a few years after the Civil War August W. Hough, Charles G. Offutt, Hamilton J. Dunbar and James A. New entered the profession. Dunbar and New were both men of exceptional ability, but both died comparatively young. Charles G. Offutt became one of the best known attorneys at the bar. He was tall and portly, had a good presence, a strong personality, a clear, fine voice, and was gifted with a rare quality of eloquence. It was said by his opposing counsel that in the trial of a cause he was able to discern quickly any weakness in his adversary's case, and the strong points in his own; that he was able to seize upon these things and throw them in such a light before juries that it always made him a formidable opponent. As a young lawyer, Offutt counseled with Judge Buckles on important matters. For several years his card in the local papers announced that Judge Buckles would be associated with him in the trial of all important causes.

Ephraim Marsh, William Ward Cook, William H. Martin and R. A. Black entered the practice during the seventies. Marsh & Cook formed a partnership soon after Marsh's retirement from the clerk's office. Their talents were complementary. Marsh was an exceedingly close and diligent student of the law, while Cook was preeminently a trial lawyer. For

several years immediately following the gas boom in the county, they probably transacted a larger volume of legal business than has ever been transacted by any firm in the same length of time in Greenfield. After the death of Marsh, Cook remained as the last of the older trial lawyers. He had fought many a legal battle, and everybody knew him to be the peer of any advocate who entered the forum of justice. For several years he remained in the practice honored and respected practically as the dean of the Hancock bar. R. A. Black and Charles G. Offutt were partners for many years before Offutt was elected to the bench in 1894. William H. Martin, who was Circuit Judge from 1884 to 1894, and Offutt were partners for several years after Offutt's service on the bench.

The splendid law library to which the attorneys have access at the court house has been collected within the last thirty-five years. On the 8th day of June, 1882, the court, on its own motion (Judge Forkner on the bench), ordered that James A. New, Israel P. Poulson and Augustus W. Hough be added to a committee, that had been previously appointed by Judge of the court, to sell the extra volumes of the Indiana Reports and to purchase the New York Reports, and other volumes.

On the 5th day of January, 1886, this committee reported the sale of forty-eight volumes of the Indiana Reports. They also reported the purchase of thirty-three volumes of the New York Reports. The committee further "shows that the reason why this matter was not promptly closed up was that Bowen, Stewart & Company agreed at the time said purchase was made to furnish the digest for said reports under contract as they were compiled and published, for which said balance was to be expended. And he said that said digests were not furnished, hence the funds retained therefor are still on hands, and that with this unfulfilled promise died the recollection which the committee had of the details of their proceedings and doings." This report was made by James A. New, a member of the committee.

On the 5th day of April, 1887, Ephraim Marsh, Israel P. Poulson and James A. New, "committee on the Hancock County Law Library," submitted another report of their work

as such committee, which was approved by the court, and which showed that additional law books had been purchased from the Bowen-Merrill Company. The purchase of the New York Reports, as above stated, seems to have been the first step towards getting a library of general reference. The National Reporter System was started in 1885. Other publications were added as they came from the press, including the Federal Reports, the Lawyer's Reports Annotated, the Centennial Digest, the Decennial Digest, Encyclopedias, etc.

ASSOCIATE JUDGES.

Jacob Jones	March 21, 1828, to serve seven years from date.
James B. Stevens	March 21, 1828, to serve seven years from date; resigned, November, 1831.
John Ogg	December 22, 1831 (special election), vice James B. Stevens (resigned), to serve seven years from March 21, 1828.
Robert McCorkhill	August 15, 1834, to serve seven years from March 21, 1835; resigned, July, 1837.
Othniel H. Sween	August 15, 1834, to serve seven years from March 21, 1835; resigned, March, 1835.
Nathan Crawford	August 14, 1835 (special election), vice Othniel H. Sween (resigned), to serve seven years from March 21, 1835.
George Henry	August 7, 1837 (special election), vice Robert McCorkhill (resigned), to serve seven years from March 21, 1835.
George Tague	August 14, 1841, to serve seven years from March 21, 1842; resigned, June, 1844.
Owen Jarrett	August 14, 1841, to serve seven years from May 21, 1842.
Hector H. Hall	August 16, 1844 (special election), vice George Tague (resigned), to serve seven years from March 21, 1842.
Andrew F. Hatfield	September 2, 1848, to serve seven years from March 21, 1849.
Phinneus H. Fry	September 2, 1848, to serve seven years from March 21, 1849.

PROBATE JUDGES.

Jeremiah Meek	August 14, 1829, to serve seven years from date.
John Ogg	August 30, 1836, to serve seven years from date.
John Ogg	August 17, 1843, to serve seven years from date.
Samuel Hottle	September 24, 1850, to serve seven years from date.

COMMON PLEAS JUDGES.

- David S. Gooding-----1852-56.
 Richard Lake -----1856-60.
 William Grose -----1860-61, resigned.
 Elijah B. Martindale---Appointed August 31, 1861-October 18, 1861.
 David S. Gooding-----1861; resigned, September 10, 1864.
 William R. West-----Appointed September 12, 1864-72.
 Robert L. Polk-----1872-73.

DISTRICT PROSECUTING ATTORNEYS.

- James W. Sansbury---1852-56, resigned.
 Montgomery Marsh ---1856-58.
 F. S. C. Cooper-----1858-60.
 William R. Hough----William R. Hough, 1860-62.
 Daniel W. Comstock---Daniel W. Comstock, 1862-64.
 James D. Martindale--1864-66.
 Calvin D. Thompson---Calvin D. Thompson, 1866-67, resigned.
 Reuben A. Riley-----Appointed April 27, 1867.
 William F. Walker----1867-69, resigned.
 Joseph W. Worl-----Appointed December 8, 1869-72.
 Washington Saunders -1872-73.

PRESIDENT JUDGES.

- Bethuel F. Morris----March 1, 1828-December 4, 1834, resigned. Fifth circuit.
 William W. Wick-----Appointed December 4, 1834-August 2, 1839, resigned.
 James Morrison -----Appointed August 2, 1839; resigned, August 15, 1842.
 William Quarles -----August 15, 1842; returned commission September 28, 1842.
 Stephen Major -----Appointed September 28, 1842; declined to accept.
 Fabius M. Finch-----Appointed October 6, 1842-December 16, 1842.
 William J. Peaslee---December 16, 1842-September 17, 1849, resigned.
 William W. Wick-----Appointed September 17, 1849-October 12, 1852.

CIRCUIT JUDGES.

- William W. Wick-----October 12, 1852-January 12, 1854. Fifth circuit.
 Stephen Major -----January 12, 1854-February 1, 1859. The act of February 1, 1859, put Hancock in the Seventh.
 Joseph S. Buckles---February 1, 1859-October 24, 1870. Judge Buckles had been on the bench of the Seventh since October 26, 1858.
 Joshua H. Mellett----October 24, 1870-October 24, 1876. The act of March 6, 1873, put Hancock in the Eighteenth, and transferred Mellett from the Seventh to the Eighteenth.
 Robert L. Polk-----October 24, 1876-May 11, 1881.

- Mark E. Forkner.....Appointed May 11, 1881-November 15, 1888.
 William H. Martin.....November 15, 1888-November 15, 1894. The act of
 February 22, 1889, made Hancock the sole county
 in the Eighteenth, where it has since remained.
 Charles G. Offutt.....November 15, 1894-November 15, 1900.
 Edward W. Felt.....November 15, 1900-November 15, 1906.
 Robert L. Mason.....November 15, 1906-November 15, 1912.
 Earl SampleNovember 15, 1912; term expires November 15,
 1918.

PROSECUTING ATTORNEYS.

- James WhitcombMarch 1, 1828-January 14, 1829. Fifth circuit.
 W. W. Wick.....January 14, 1829-December 15, 1830, resigned.
 Phillip SweetzerAppointed December 15, 1830-March 10, 1831, re-
 signed.
 Hiram BrownAppointed March 10, 1831-December 12, 1831.
 Harvey GreggDecember 12, 1831-April 11, 1833.
 William Herod.....Appointed April 11, 1833-December 9, 1836.
 William QuarlesDecember 9, 1836-April 13, 1839, resigned.
 William J. Peaslee.....Appointed April 13, 1839-January 29, 1841, re-
 signed.
 Hugh O'NealJanuary 29, 1841-January 29, 1843.
 Abram A. Hammond...January 29, 1843-January 29, 1847.
 Edward LanderJanuary 29, 1847-January 29, 1849.
 David S. Gooding.....August 27, 1851-October 12, 1852.
 Renben A. Riley.....October 12, 1852-October 27, 1854. Fifth circuit.
 DeWitt C. Chapman...October 27, 1854-November 2, 1856.
 Peter S. Kennedy.....November 2, 1856-November 2, 1858.
 William P. Fishback...November 2, 1858-February 1, 1859. The act of
 February 1, 1859, put Hancock in the Seventh.
 David MossOctober 31, 1859-November 12, 1861.
 John A. Harrison.....November 12, 1861-November 12, 1865.
 Lemuel G. Gooding...November 12, 1865-November 12, 1867.
 David W. Chambers...November 12, 1867-October 21, 1872.
 John W. Ryan.....October 21, 1872-March 6, 1873. The act of March
 6, 1873, put Hancock in the Eighteenth.
 Exum SaintAppointed March 7, 1873-October 22, 1873.
 Charles M. Butler....October 22, 1873-October 22, 1875.
 William F. Walker....October 22, 1875-October 22, 1877.
 Joseph M. Brown.....October 22, 1877-October 22, 1879.
 Charles M. Butler....October 22, 1879-October 22, 1881.
 Leonidas P. Newby....October 22, 1881-October 22, 1883.
 George W. Duncan....October 22, 1883-October 22, 1887.
 William O. Barnard...October 22, 1887-February 27, 1889.
 Lafayette H. Reynolds..Appointed February 27, 1889-November 17, 1890.
 The act of February 22, 1889, made Hancock the
 sole county in the Eighteenth, where it has since
 remained.

Edward W. Felt-----	November 17, 1890-November 15, 1894.
John L. McNew-----	November 15, 1894; died August 12, 1895.
Charles Downing ----	Appointed August 21, 1895-November 17, 1896.
John F. Wiggins-----	November 17, 1896-January 1, 1901.
Albert C. Van Dyu----	January 1, 1901-January 1, 1905.
Charles L. Tindall-----	January 1, 1905-January 1, 1909.
Edward F. Quigley----	January 1, 1909-January 1, 1913.
Hiram L. Thomas-----	January 1, 1913; died in office April 27, 1915.
Robert F. Reeves-----	Appointed May 1, 1915, to fill the unexpired term of Thomas.

HARRISON COUNTY.

Harrison, the fourth county organized in the state, was created with the territorial act of October 11, 1808, the same becoming effective on the 1st of the following December. At that time only three counties had been organized in the state, Knox, Clark and Dearborn, organized in 1790, 1801 and 1803, respectively. The first county seat was located at Corydon upon land which had originally been entered by Governor William Henry Harrison. The first court house in the county, a solid stone structure, was built in 1811-12 at a cost of fifteen hundred dollars. This building, remodeled in 1873, still serves as the court house and is the oldest court house in Indiana in actual use at the present time. The legislative act of March 11, 1813, made Corydon the capital of the territory and when the state was admitted to the union in 1816 it was provided that the capital of the state should remain at Corydon until 1824. The court house was used as a state house during the this period of eleven years, the House of Representatives using the lower floor for a chamber and the Senate occupying the upper rooms.

Upon the organization of the county in 1809, Governor Harrison appointed Patrick Shields President Judge of the Common Pleas court, with Moses Boone and John G. Pfrimmer as Associate Judges. The first session of this court met at Corydon on May 10, 1809, for the transaction of such business that might be brought before them. While Indiana was still a territory, the following Judges served on the Common Pleas bench in Harrison county: Patrick Shields, John G. Pfrimmer, Moses Boone, Peter McIntosh, Jesse L. Holman

and Daniel C. Lane. It is probable that Patrick Shields and Jesse L. Holman were the only two Presiding Judges, with the others mentioned serving as Associates. Jesse L. Holman ascended the Common Pleas bench in 1814 and officiated until November, 1817, when the first judicial officers under the new Constitution took their seats.

TERRITORIAL JUDICIARY.

- November 3, 1808-----Justices of the peace: Dennis Pennington, John Smith and John Boone.
- December 28, 1808-----Judges of the Court of Common Pleas: Patrick Shields, first Judge; John George Pfrimmer, second Judge; Moses Boone, third Judge.
- January 13, 1809-----Justice of the peace: John Oatman.
- January 16, 1809-----Justice of the peace: Moses Hoggatt.
- January 17, 1809-----Justice of the peace: William D. Little.
- July 22, 1809-----Justice of the peace: William Erwin.
- October 21, 1809-----Justice of the peace: James Young.
- December 30, 1809-----Justice of the peace: James Black.
- April 5, 1810-----Justice of the peace: Thomas Davis.
- June 12, 1810-----Justice of the peace: Pierce Chamberlain.
- January 31, 1811-----Prosecuting attorney: Thomas Randolph.
- March 11, 1811-----Justices of the peace: Zachariah Lindley and John Dougherty.
- March 26, 1811-----Justices of the peace: Robert Capland and -----
McGee.
- April 26, 1811-----Justices of the peace: ----- and William Branham.
- May 21, 1811-----Justices of the peace: Martin West and Jesse Spurgin (Spurgeon).
- June 20, 1811-----Justice of the peace: John Tipton.
- August 9, 1811-----Prosecuting attorney: George F. Pope, vice Thomas Randolph, resigned.
- November 19, 1811-----Justice of the peace: John Wright.
- December 16, 1811-----Justices of the peace: Caleb Newman and Samuel Lewis.
- January 28, 1812-----Prosecuting attorney: George F. Pope, vice Thomas Randolph, killed at the battle of Tippecanoe, November 7, 1811.
- April 16, 1812-----Justice of the peace: John M. Adams.
- April 16, 1812-----Judge of the Court of Common Pleas: Peter McIntosh.
- April 27, 1812-----Justice of the peace: Robert Ellison.
- June 17, 1812-----Justices of the peace: Nathaniel Veach and Samuel -----.



INDIANA'S FIRST CAPITOL AT CORYDON.

- February 17, 1813-----Prosecuting attorney: John F. Ross, vice George F. Pope, resigned.
- February 27, 1813-----Justice of the peace: John Morgan.
- January 7, 1814-----Justice of the peace: Nathan Taylor.
- January 7, 1814-----Judges of the Circuit court: Patrick Harrison, first Judge; Moses Boone, second Judge; Peter McIntosh, third Judge.
- January 15, 1814-----Justices of the peace: Dennis Pennington and David Craig.
- January 25, 1814-----Justice of the peace: Joseph Culton.
- May 14, 1814-----Justice of the peace: Thomas McKie.
- August 16, 1814-----Justices of the peace: James Rawlins, Martin H. Tucker and Elijah Hurst.
- September 16, 1814-----Associate Judges of the Circuit court: Daniel Lane, first associate; Patrick Shields, second associate.
- January 21, 1815-----Justice of the peace: William Watson.
- February 2, 1815-----Justice of the peace: Henry Green.
- June 17, 1815-----Justice of the peace: Henry Barker.
- September 23, 1815-----Justice of the peace: Thompson Kindle.
- January 26, 1816-----Justice of the peace: Absalom Hart.
- March 25, 1816-----Justice of the peace: Joseph Blackburn.
- April 13, 1816-----Justice of the peace: George Crutchfield.
- May 25, 1816-----Justice of the peace: Richard French.
- September 7, 1816-----Justices of the peace: John Boon and James Riley.

ASSOCIATE JUDGES.

- Patrick Shields -----February 24, 1817.
- Peter McIntosh -----February 24, 1817; resigned, September, 1822.
- Fielding N. Bradford---March 7, 1818; resigned, 1821.
- James Kirkpatrick ---August 16, 1821, vice Fielding N. Bradford, resigned.
- Abijah Bayless -----November 28, 1822.
- John Harrison -----January 22, 1824.
- Moses Boone -----January 22, 1824.
- Moses Boone -----September 8, 1830, to serve seven years from February 24, 1831; resigned, June, 1834.
- Craven Lynn -----September 8, 1830, to serve seven years from February 24, 1831.
- Fielding Cromwell ---August 16, 1834 (special election), vice Moses Boone (resigned), to serve seven years from February 24, 1831.
- John Hogan -----August 22, 1837, to serve seven years from February 24, 1838.
- Fielding Cromwell ---August 22, 1837, to serve seven years from February 24, 1838.

- John Hogan ----- August 20, 1844, to serve seven years from February 24, 1845.
 Fielding Cromwell ---- August 20, 1844, to serve seven years from February 24, 1845.
 Fielding Cromwell ---- August 22, 1851, to serve seven years from February 24, 1852.
 Lyman S. Chittenden---- August 22, 1851, to serve seven years from February 24, 1852.

PROBATE JUDGES.

- William A. Porter----- August 15, 1829; resigned, December 7, 1833.
 Lyman Lessler ----- December 7, 1833, appointed Probate Judge pro tem.
 Ignatius Abel ----- August 16, 1834, to serve seven years from date.
 George Bentley ----- October 23, 1834, appointed in place of Ignatius Abel, who refused to qualify and to serve until first Monday in August, 1835.
 George Bentley ----- August 11, 1835, to serve seven years from date.
 Charles D. Murray----- August 12, 1842, to serve seven years from date.
 Lemuel S. Leonard----- March 15, 1843, appointed vice Charles D. Murray, removed from state.
 Lemuel S. Leonard----- August 16, 1843, to serve seven years from date; resigned, July 16, 1847.
 Thomas C. Slaughter--- July 16, 1847, vice Lemuel S. Leonard (resigned same date).
 Craven Lynn ----- August 26, 1848, to serve seven years from date; died prior to August 5, 1850.

COMMON PLEAS JUDGES.

- William Morrow ----- 1852-56.
 Frederick W. Mathis--- 1856-60.
 Amos Lovering ----- 1860; resigned, March 24, 1864.
 William W. Gilleland-- Appointed April 28, 1864-November 4, 1864.
 Nathan P. Willard----- 1864-68.
 Patrick H. Jewett----- 1868-72.
 Charles P. Ferguson--- 1872-73.

DISTRICT PROSECUTING ATTORNEYS.

- David W. Lafollette---- 1852-54.
 Zachariah L. Garriot-- 1854-56.
 Joel Vandever ----- 1856-57, resigned.
 Zachariah L. Garriot--- Appointed November 9, 1857-58.
 Hamilton A. McRae----- 1858-59.
 Benjamin L. Smith----- 1859-60.
 John Batt ----- 1860-62.
 James A. Ghornitz----- 1862-66.
 Isaac N. Caress----- 1866-67.
 Thomas J. Jackson---- Appointed March 18, 1867.

Robert J. Shaw-----1868-70.
 John McCarty -----1870-72.
 Charles L. Jewett-----1872-73.

PRESIDENT JUDGES.

David Raymond -----December 21, 1816-October 13, 1817, resigned. Second circuit.
 Davis Floyd -----Appointed October 13, 1817-December 18, 1823.
 John F. Ross-----December 18, 1823; died in office in 1834.
 John H. Thompson-----Appointed July 5, 1834-December 30, 1844.
 William T. Otto-----December 30, 1844-October 12, 1852.

CIRCUIT JUDGES.

George A. Bicknell-----October 12, 1852-March 6, 1873. The act of March 6, 1873, took Harrison out of the Second and put it in the Third, over which Frank Emerson was then presiding.
 Frank Emerson -----March 6, 1873-October 22, 1873.
 Thomas C. Slaughter---October 22, 1873; died in office January 28, 1879. The act of March 3, 1877, united Harrison and Crawford in the Third circuit.
 George W. Denbo-----October 22, 1879-October 22, 1885.
 Samuel Ramsey -----Appointed January 28, 1879-October 22, 1879.
 William T. Zenor-----October 25, 1885; resigned, January 5, 1897, to go to Congress.
 Robert S. Kirkham----Appointed January 8, 1897-October 22, 1897.
 Christ W. Cook-----October 22, 1897-October 22, 1909. The act of March 3, 1903, constituted Harrison, Crawford and Perry the Third, where they have since remained.
 William Ridley -----October 22, 1909; term expires October 22, 1921.

PROSECUTING ATTORNEYS.

John Kingsbury -----August 9, 1824-August 14, 1826. Second circuit.
 Milton Stapp -----August 14, 1826-December 30, 1826.
 John Kingsbury -----December 30, 1826-December 30, 1828.
 John H. Thompson----December 30, 1828-December 30, 1832.
 Isaac Howk -----December 30, 1832-June 5, 1833, died.
 Charles Dewey -----Appointed June 5, 1833-June 4, 1836; transferred to Supreme court.
 John W. Payne-----Appointed June 4, 1836-December 12, 1840.
 Theodore I. Barnett---December 12, 1840-July 13, 1842, resigned.
 William A. Porter----Appointed July 13, 1842-December 14, 1844.
 Cyrus L. Dunham-----December 14, 1844-December 14, 1846.
 George A. Bicknell----August 15, 1851-October 12, 1852.
 Samuel W. Short-----October 12, 1852-March 8, 1854, resigned. Second circuit.
 Patrick H. Jewett-----Appointed March 8, 1854-November 19, 1856.
 Thomas M. Browne----November 19, 1856-November 7, 1858.

- Robert M. Weir.....November 7, 1858-November 7, 1860.
 Ambrose B. Carlton.....November 7, 1860-November 7, 1862.
 Thomas M. Browne.....November 7, 1862-November 7, 1866.
 Robert M. Weir.....November 7, 1866-November 24, 1870.
 Robert J. Shaw.....November 24, 1870-March 6, 1873. The act of
 March 6, 1873, took Harrison out of the Second
 and put it in the Third.
 Alfred B. Collins.....Appointed March 15, 1873-October 22, 1873.
 Samuel B. Voyles.....October 22, 1873-March 10, 1877.
 Fred L. Prow.....Commission dated October 24, 1876, to serve two
 years from October 22, 1877. However, before his
 term began the act of March 3, 1877, placed Har-
 rison and Crawford in the Third circuit, and Prow,
 who lived in Washington county, became prosecu-
 tor of the Washington-Jackson circuit. The Gov-
 ernor appointed William T. Zenor prosecutor of the
 Harrison-Crawford circuit.
 William T. Zenor.....Appointed March 10, 1877-November 17, 1882.
 Major W. Funk.....November 17, 1882-November 17, 1886.
 George K. Gwartney...November 17, 1886-November 17, 1888.
 Jerry L. Suddarth.....November 17, 1888-November 17, 1890.
 Christ Cook.....November 17, 1890-November 17, 1894.
 A. W. Funkhouser.....November 17, 1894-November 17, 1896.
 Charles L. Fleishman...November 17, 1896-January 1, 1901.
 John H. Lockett.....January 1, 1901-January 1, 1905. The act of
 March 3, 1903, constituted Harrison, Crawford and
 Perry the Third, where they have since remained.
 John W. Ewing.....January 1, 1905-January 1, 1909.
 Clyde R. Lottick.....January 1, 1909-January 1, 1913.
 Charles T. Brown.....January 1, 1913; term expires January 1, 1917.

HENDRICKS COUNTY.

Hendricks county was organized out of what was then a part of Wabash county, by an act of the Legislature, approved December 20, 1823, which became effective on April 1, 1824. The county was named in honor of William Hendricks, then Governor of the state. According to the provisions of this act, the locating commissioners began to investigate several claims for the location of the county seat. Many localities were at work striving for the honor, among them the community near George Mattock's tavern, two miles east of Belleville, where a town had been laid out named Hillsboro. This site was rejected in favor of a location as near

as possible to the geographical center of the county, and on the second Monday in July, 1824, the site of Danville was chosen. Four men, Daniel Beals, George Matlock, Robert Wilson and James Downard, being the owners of land in four sections having a common corner, each donated twenty acres touching the common corner for the benefit of the county seat, all of which was laid out into town lots. Thomas Hinton was appointed agent of the county, and on October 20, 1824, he placed on file a plat of the town of Danville. The lots were immediately put up at a public sale, and this continued for three days. An order was made by the commissioners for fifteen gallons of whiskey to assist the purchasers to make their selection. Samuel Herriman, the coroner, was the distributor on this occasion. The price paid for the lots ranged from three to one hundred and fifteen dollars. The latter price was given by Mr. Hulse for the lot on the northeast corner of Main and Washington streets. The lot on the southwest corner brought the next highest price.

The first term of Circuit court in Hendricks county was held at the house of William Ballard, October 25, 1824, with William W. Wick as President Judge and Nathan Kirk and James Downard as Associate Judges. Hervey Gregg was the first prosecuting attorney. The court house was completed and first term of court held in Danville in April, 1826. The building was constructed of peeled hickory logs at a cost of one hundred and forty-seven dollars.

James M. Gregg, one of the first attorneys in Hendricks county, was born in 1806 in Virginia and came to Hendricks county in 1830. He was employed for a time as a deputy in the county clerk's office and later served as county surveyor and as county clerk. Gregg represented the Sixth Indiana district in Congress from 1857 to 1859 and was in the lower House of the General Assembly during the session of 1863.

Simon T. Hadley, another of the earliest attorneys of Hendricks county, was born in 1801 in North Carolina. In 1826 he located at Danville. He served as clerk and recorder of the county for seven years and as recorder alone for twenty-two years. For many years he was president of the First National Bank of Danville.

Christian C. Nave, who was a native of Tennessee, born in 1803, settled in Danville in 1831, after having made the journey north on horseback, arriving in the county seat with a few articles of wearing apparel in his saddle-bag, a copy of Blackstone's "Commentaries," a pistol and five dollars in money. During the Mexican War, he was colonel of the Third Indiana Regiment. He died at Danville in 1884.

Leander M. Campbell, a Kentuckian by birth, who was admitted to the Hendricks county bar in 1854, became one of the ablest attorneys in this section of the state. Peter S. Kennedy, another Kentuckian and a contemporary of Leander M. Campbell, practiced law at Danville for many years. In 1865 he moved to Crawfordsville, where he spent the remainder of his life.

Jesse S. Ogden, a native of Virginia, who arrived in Danville in November, 1858, attended the old Danville Academy and at the breaking out of the Civil War enlisted in the Seventh Indiana Infantry. Having been wounded in action, he returned to Danville, was elected recorder in the county and spent his idle hours in reading law. He was admitted to practice in 1866 and in 1870 was elected prosecuting attorney. From 1869 until his death on February 20, 1897, Mr. Ogden was in partnership in the practice of law with Judge John V. Hadley.

Among the well-known men of Indiana and other states, who received their early training at the Danville bar, there may be mentioned, Solomon Blair, William Irvin, Joshua G. Adams, Newton M. Taylor and Richard B. Blake. Blair, Irvin, Adams and Taylor afterward were Judges of the various courts in Marion county. Richard B. Blake served on the Superior bench in the city of Spokane, Washington, for a number of years. Enoch G. Hogate, the present dean of the law school of Indiana University, is a native of this county and a former member of the Hendricks county bar.

ASSOCIATE JUDGES.

Nathan Kirk ----- July 26, 1824; removed from county, July, 1827.
 James Downard ----- July 26, 1824.
 Samuel Jessup ----- August 16, 1827 (special election), vice Nathan Kirk, removed; resigned.

Samuel Jessup	September 8, 1830, to serve seven years from July 26, 1831.
Elijah Anderson	September 8, 1830, to serve seven years from July 26, 1831.
Thomas Lockhart	February 16, 1832 (special election), vice Samuel Jessup, resigned; resigned July 12, 1834.
Gideon Wilson	August 16, 1834 (special election), vice Thomas Lockhart, resigned, to serve seven years from July 26, 1831.
Gideon Wilson	August 16, 1837, to serve seven years from July 26, 1838; resigned, August, 1842.
James McCoun	August 16, 1837, to serve seven years from July 26, 1838.
William Naylor	September 29, 1842 (special election), vice Gideon Wilson, resigned, to serve seven years from July 26, 1838; removed from county, 1838.
James McCoun	August 21, 1844, to serve seven years from July 26, 1845; resigned, April 1, 1851.
James Greene	August 21, 1844, to serve seven years from July 26, 1845; resigned, September 26, 1850.
Ennis Dodd	August 21, 1844, to serve from July 26, 1838, vice William Naylor, removed from county.
William Tomlinson	December 11, 1850, to serve seven years from July 26, 1845, vice James Greene, resigned.
Jonathan Cope	August 25, 1851, to serve until July 26, 1852.
Peter Curtis	August 25, 1851, to serve until July 26, 1852.

PROBATE JUDGES.

William H. Henton	August 14, 1829.
Samuel Jessup	December 24, 1831, appointed in place of William H. Henton, removed.
Samuel Jessup	August 13, 1832, resigned, June, 1835.
Henry H. Marvin	September 24, 1835 (special election).
James McClure	August 9, 1839.
Abram Bland	August 16, 1843.
Abram Bland	August 20, 1850.

COMMON PLEAS JUDGES.

John Cowgill	1852-60.
John Coburn	1860-61, resigned.
Charles A. Ray	Appointed September 30, 1861; resigned December 7, 1864.
Solomon Blair	Appointed December 13, 1864-71, resigned.
Livingston Howland	Appointed February 25, 1871-October 24, 1872.
William Irwin	1872-73.

DISTRICT PROSECUTING ATTORNEYS.

Addison Dagy	1852-54.
Leander M. Campbell...	1854-56.
James A. Crawley.....	1856-58.
R. H. Litson	1858-60.
John C. Buffkin	1860-64.
William W. Woollen....	1864-68.
William Irwin	1868-70.
David V. Burns.....	1870-72.
Robert E. Smith.....	1872-73.

PRESIDENT JUDGES.

William W. Wick.....	April 1, 1824-January 20, 1825, resigned.	Fifth circuit.
Bethuel F. Morris.....	Appointed January 20, 1825-August 2, 1839, resigned.	
James Morrison	Appointed August 2, 1839-August 15, 1842.	
William Quarles	August 15, 1842; returned commission September 28, 1842.	
Stephen Major	Appointed September 28, 1842; declined to accept.	
Fabius M. Finch.....	Appointed October 6, 1842-December 16, 1842, resigned.	
William J. Peaslee.....	Appointed December 16, 1842-September 17, 1849, resigned.	
William W. Wick.....	Appointed September 17, 1849-October 12, 1852.	

CIRCUIT JUDGES.

William W. Wick.....	October 12, 1852-January 12, 1854.	Fifth circuit.
Stephen Major	January 12, 1854; resigned, September 5, 1859.	
William W. Wick.....	Appointed September 5, 1859-October 24, 1859.	
Fabius M. Finch.....	October 24, 1859-October 27, 1865.	
John Coburn	October 27, 1865-September 24, 1866.	
John T. Dye.....	September 24, 1866-November 3, 1866.	
Cyrus C. Hines.....	November 3, 1866-November 5, 1870.	
John S. Tarkington....	November 5, 1870-October 21, 1872.	
Livingston Howland ...	October 21, 1872-December 28, 1876.	The act of March 6, 1873, put Hendricks in the Nineteenth and transferred Howland from the Fifth to the Nineteenth.
Jacob B. Julian.....	December 28, 1876-October 14, 1878.	
Joshua G. Adams.....	October 14, 1878-October 14, 1884.	
Alexander C. Ayers....	October 14, 1884; resigned January 11, 1888.	
Thomas L. Sullivan....	Appointed January 11, 1888-November 15, 1888.	
John V. Hadley.....	November 15, 1888-resigned December 30, 1898.	The act of February 28, 1889, made Hendricks the sole county in the newly created Fifty-fifth, where

it has since remained, and transferred Hadley to the new circuit.

Thomas J. Cofer.....	Appointed December 30, 1898-November 15, 1906.
James L. Clark.....	November 15, 1906-November 16, 1912.
George W. Brill.....	November 16, 1912; term expires November 16, 1918.

PROSECUTING ATTORNEYS.

Harvey Gregg.....	August 9, 1824-August 9, 1825. Fifth circuit.
Calvin Fletcher	August 9, 1825-August 14, 1826.
James Whitcomb	August 14, 1826-January 14, 1829.
W. W. Wick.....	January 14, 1829-December 15, 1830, resigned.
Phillip Sweetzer	December 15, 1830-March 10, 1831, resigned.
Hiram Brown	Appointed March 10, 1831-December 12, 1831.
Harvey Gregg	December 12, 1831-April 11, 1833.
William Herod.....	Appointed April 11, 1833-December 9, 1836.
William Quarles	December 9, 1836-April 13, 1839, resigned.
William J. Peaslee.....	Appointed April 13, 1839-January 29, 1841, resigned.
Hugh O'Neal	January 29, 1841-January 29, 1843.
Abram A. Hammond.....	January 29, 1843-January 29, 1847.
Edward Lander	January 29, 1847-January 29, 1849.
David S. Gooding.....	August 27, 1851-October 12, 1852.
Renben A. Riley.....	October 12, 1852-October 27, 1854.
Dewitt C. Chapman.....	October 27, 1854-November 2, 1856.
Peter S. Kennedy.....	November 2, 1856-November 2, 1858.
William P. Fishback.....	November 2, 1858-October 5, 1862, resigned.
William W. Leathers.....	October 5, 1862-December 27, 1865.
Joseph S. Miller.....	December 27, 1865-April 12, 1867.
John V. Hadley.....	Appointed April 12, 1867-November 3, 1868.
Daniel W. Howe.....	November 3, 1868-August 26, 1869, resigned.
Jesse S. Ogden.....	Appointed August 26, 1869-October 21, 1872.
Thomas I. Cofer.....	October 21, 1872-October 26, 1874. The act of March 6, 1873, put Hendricks in the Nineteenth, and transferred Cofer from the Fifth to the Nineteenth.
John Denton	October 26, 1874-October 26, 1876.
Joshua G. Adams	October 26, 1876-October 26, 1878.
Richard B. Blake.....	October 26, 1878-October 26, 1880.
Newton M. Taylor.....	October 26, 1880-November 17, 1882.
William T. Brown.....	November 17, 1882-November 17, 1884.
William N. Harding.....	November 17, 1884-November 17, 1886.
James L. Mitchell.....	November 17, 1886-February 28, 1889. The act of February 28, 1889, made Hendricks the sole county in the newly created Fifty-fifth, where it has since remained.
Thaddeus S. Adams.....	November 17, 1890-November 17, 1892.

Daniel F. Hill-----	November 17, 1892-November 17, 1894.
Otis E. Gulley-----	November 17, 1894-November 17, 1898.
John McCormick -----	November 17, 1898-January 1, 1901.
Everett Cooper -----	January 1, 1901-January 1, 1903.
Charles V. Sears-----	January 1, 1903-January 1, 1907.
Edgar M. Blessing-----	January 1, 1907-January 1, 1911.
Charles V. Sears -----	January 1, 1911-January 1, 1913.
James P. Snodgrass----	January 1, 1913-October 1, 1915, resigned.
Levi A. Barnett-----	Appointed October 1, 1915; term expires January 1, 1917.

HENRY COUNTY.

Henry county was created by the legislative act of December 21, 1821, and the county began its formal career on June 1, 1822. The locating commissioners selected the site of New Castle, a town in the center of the county, for the first county seat and this choice has proved very satisfactory, no other town in the county having ever been considered for the honor.

The first term of the Circuit court of Henry county convened September 13, 1822, at the house of Joseph Hobson and adjourned at once to the house of Charles Jamison, where the court continued its deliberations. At this first session Thomas R. Stanford and Elisha Long, the Associate Judges, were in charge of the court. The President Judge, William W. Wick, did not put in appearance until the second session.

Henry county was organized in 1822 and was attached to the Fifth Circuit, over which W. W. Wick was then presiding. Judge Wick resigned in 1825 and the Legislature selected B. F. Morris to succeed him. Judge Morris was on the bench of this circuit until the act of January 23, 1830, placed Henry county in the Sixth circuit. On the same date the Legislature elected Charles H. Test as the first Judge of the new circuit and he served until he resigned, December 11, 1835. The Legislature next chose Samuel Bigger, who presided over the Sixth circuit until the spring of 1840, when he resigned to make the race for Governor. Upon his resignation, Governor Wallace appointed James Perry to serve out his unexpired term. Judge Perry was succeeded in January, 1844, by Jehu T. Elliott, who was on the bench until February 15, 1851. On the same date Governor Wright appointed Oliver



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P. Morton as Judge of the circuit; he presided over the circuit until the new Constitution went into operation October 12, 1852. No one of these seven Judges was a resident of Henry county.

When the state was divided into ten circuits in 1852, pursuant to the new Constitution, Henry county was placed in the Seventh circuit, which at that time included Henry, Wayne, Randolph, Delaware, Jay, Blackford and Grant. Joseph Anthony, a cripple by nature, a tavern keeper by profession and a Judge by the accident of political manipulation, was the first Judge of the Seventh circuit. Probably no Judge ever presided over any circuit in Indiana who had less knowledge of law. His service was so unsatisfactory that the counties making up the circuit immediately began to agitate the formation of new circuits in order to get rid of him. The Legislature, by the act of February 9, 1855, created the Thirteenth circuit, composed of the counties of Henry Wayne, Randolph and Jay, leaving the tavern-keeper Judge in the Seventh with Delaware and Blackford counties. As soon as this new circuit was organized Governor Wright appointed Jeremiah Smith as its first Judge. In the fall of the same year (1855) Jehu T. Elliott, who had formerly been on the bench of the circuit under the old Constitution, was elected Judge, serving until he resigned in January, 1865, to become Judge of the Supreme court of the state. Upon his resignation, the Governor appointed Silas Colgrove to fill out his unexpired term. The act of February 11, 1867, reorganized the Seventh and Thirteenth circuits, and at the same time created the Seventeenth. Henry was placed in the Seventh with Delaware, Hancock and Grant; Wayne, Randolph, Jay and Blackford became the Thirteenth; Madison, Hamilton, Tipton and Howard were constituted the Seventeenth. Joseph S. Buckles had been on the bench of the Seventh since October 26, 1858, and he continued to preside over the circuit until October 15, 1870, when Joshua H. Mellett took the bench. Judge Mellett was the first resident of Henry county to preside over the circuit to which Henry was attached. When the whole state was recircuited by the act of March 6, 1873, Henry was united with Hancock in the Eighteenth circuit, Judge Mellett being transferred from the Seventh to the Eighteenth.

Robert L. Polk, of Hancock county, was elected in 1876 and served until his death, May 11, 1881. Governor Porter appointed Mark E. Forkner, May 11, 1881, to fill out the unexpired term of Judge Polk and, by subsequent election, Judge Forkner continued on the bench until November 15, 1888. William H. Martin, of Hancock county, succeeded Judge Forkner and presided over the circuit composed of Henry and Hancock until February 22, 1889. The act of that date divided the Eighteenth circuit, leaving Hancock as the sole county in the circuit and constituting Henry as the Fifty-third, where it has since remained. Since Judge Martin lived in Hancock county, he was left as the Judge of the Hancock Circuit court and Governor Hovey appointed Eugene H. Bundy as the first Judge of the newly organized Fifty-third. Judge Bundy was elected in the fall of 1890 for a six-year term. Four Judges have succeeded him on the bench of the circuit, namely: W. O. Barnard, from 1896 to 1902; John M. Morris, from 1902 until his death in July, 1907; Ed Jackson, who was appointed July 14, 1907, and served by subsequent election until 1914; Fred C. Gause, who has been on the bench since November 17, 1914. Specific mention is made of Judges Forkner, Barnard, Jackson and Gause in volume III.

ASSOCIATE JUDGES.

Elisha Long	July 5, 1822; resigned, May, 1826.
Thomas R. Stanford	July 5, 1822; resigned, June 21, 1825.
John Anderson	August 16, 1825, vice Thomas R. Stanford, resigned.
Byrum Cadwallader	August 19, 1826, vice Elisha Long (resigned), to serve until July 5, 1829.
John Anderson	August 15, 1829, to serve seven years from July 5, 1829.
Byrum Cadwallader	August 15, 1829, to serve seven years from July 5, 1829.
Jacob Thorp	August 15, 1834, vice Byrum Cadwallader (resigned), to serve seven years from July 5, 1829.
John Anderson	August 20, 1835, to serve seven years from July 5, 1836; died, December, 1838.
Jacob Thorp	August 20, 1835, to serve seven years from July 5, 1836.
Jacob Thornburgh	February 19, 1839 (special election), vice John Anderson, deceased. Jacob Thornburgh died March, 1840.

- Gabriel Casand.....April 16, 1840 (special election), vice Jacob Thornburgh, deceased.
- Abraham Elliott.....August 22, 1842, to serve seven years from July 5, 1843; died, November, 1848.
- James W. Crowley.....August 22, 1842, to serve seven years from July 5, 1843.
- William W. Williams...January 17, 1849 (special election), vice Abraham Elliott, deceased, to serve seven years from July 5, 1843.
- William W. Williams...August 23, 1849, to serve seven years from July 5, 1850.
- Joseph Farley.....August 23, 1849, to serve seven years from July 5, 1850.

PROBATE JUDGES.

- Jesse H. Healey.....August 14, 1829.
- Samuel Hoover.....August 14, 1836.
- Ralph Berksbire.....August 15, 1843.
- Milton Wayman.....August 14, 1850.

COMMON PLEAS JUDGES.

- Martin L. Bundy.....1852; died in office September 4, 1859.
- William Grose.....1860-61, resigned.
- Elijah B. Martindale...Appointed August 31, 1861-October 18, 1861.
- David S. Gooding.....1861; resigned September 10, 1864.
- William R. West.....Appointed September 12, 1864-72.
- Robert L. Polk.....1872-73.

DISTRICT PROSECUTING ATTORNEYS.

- E. B. Martindale.....1852-54.
- James Brown.....1854-56.
- Thomas B. Redding....1856-57, resigned.
- Miles L. Reed.....Appointed October 29, 1857-60.
- William R. Hough.....1860-62.
- Daniel W. Comstock...1862-64.
- James D. Martindale...1864-66.
- Calvin D. Thompson...1866-67, resigned.
- Reuben A. Riley.....Appointed April 27, 1867.
- William F. Walker....1867-69.
- Joseph W. Worl.....1869-72.
- Washington Saunders...1872-73.

PRESIDENT JUDGES.

- William W. Wick.....June 1, 1822-January 20, 1825, resigned. Fifth circuit.
- Bethuel F. Morris.....Appointed January 20, 1825-January 23, 1830. The act of January 23, 1830, put Henry in the Sixth.

Charles H. Test.....	Appointed January 23, 1830-December 11, 1835, resigned.
Samuel Bigger.....	Appointed January 20, 1836-March 29, 1840, resigned.
James Perry.....	Appointed March 29, 1840-January 23, 1844.
Jehu T. Elliott.....	January 23, 1844-February 15, 1851.
Oliver P. Morton.....	February 15, 1851-October 12, 1852.

CIRCUIT JUDGES.

Joseph Anthony.....	October 12, 1852-February 9, 1855. The act of February 9, 1855, took Henry out of the Seventh and put it in the newly created Thirteenth.
Jeremiah Smith.....	Appointed February 21, 1855-October 20, 1855.
Jehu T. Elliott.....	October 20, 1855; resigned to take effect January 2, 1865, the day on which Judge Elliott took his seat on the Supreme bench.
Silas Colgrove.....	Appointed January 2, 1865-February 11, 1867. The act of February 11, 1867, put Henry in the Seventh.
Joseph S. Buckles.....	February 11, 1867-October 15, 1870. Judge Buckles had been on the bench of the Seventh since October 26, 1858.
Joshua H. Mellett.....	October 15, 1870-October 24, 1876. The act of March 6, 1873, put Henry in the Eighteenth, and transferred Joshua H. Mellett from the Seventh to the Eighteenth.
Robert L. Polk.....	October 24, 1876-May 11, 1881, died.
Mark E. Korkner.....	Appointed May 11, 1881-November 15, 1888.
William H. Martin.....	November 15, 1888-February 22, 1889. The act of February 22, 1889, made Henry the sole county in the newly created Fifty-third, where it has since remained.
Eugene H. Bundy.....	Appointed February 22, 1889-November 17, 1896.
William O. Barnard.....	November 17, 1896-November 17, 1902.
John M. Morris.....	November 17, 1902; died in office in July, 1907.
Ed Jackson.....	Appointed July 13, 1907-November 17, 1914.
Fred C. Gause.....	November 17, 1914; term expires November 17, 1920.

PROSECUTING ATTORNEYS.

Harvey Gregg.....	August 9, 1824-August 9, 1825. Fifth circuit.
Calvin Fletcher.....	August 9, 1825-August 14, 1826.
James Whitcomb.....	August 14, 1826-January 14, 1829.
W. W. Wick.....	January 14, 1829-January 23, 1830. The act of January 23, 1830, put Henry in the sixth.
James Perry.....	January 25, 1830-January 25, 1832.
William J. Brown.....	January 25, 1832-December 10, 1836, resigned.
Samuel Parker.....	Appointed December 10, 1836-December 10, 1838.
David Macey.....	December 10, 1838-December 11, 1840.

Martin M. Ray	December 11, 1840-December 15, 1842.
Jehu T. Elliott	December 15, 1842-January 23, 1844, resigned.
Samuel E. Perkins	Appointed January 23, 1844-August 20, 1844.
Jacob B. Julian	August 20, 1844-August 27, 1846.
John B. Still	August 27, 1846-August 27, 1848.
Joshua H. Mellett	August 18, 1851-October 12, 1852.
Silas Colgrove	October 12, 1852-November 7, 1854. Seventh circuit.
Elijah B. Martindale	November 7, 1854-October 20, 1855. The act of February 9, 1855, took Henry out of the Seventh and put it in the newly created Thirteenth, and transferred Martindale from the Seventh to the Thirteenth.
Thomas M. Browne	October 20, 1855-October 22, 1861, resigned.
James N. Templer	October 22, 1861-February 11, 1867. The act of February 11, 1867, put Henry in the Seventh.
David W. Chambers	November 12, 1867-October 21, 1872.
John W. Ryan	October 21, 1872-March 6, 1873. The act of March 6, 1873, put Henry in the Eighteenth.
Exum Saint	Appointed March 7, 1873-October 22, 1873.
Charles M. Butler	October 22, 1873-October 22, 1875.
William F. Walker	October 22, 1875-October 22, 1877.
Joseph M. Brown	October 22, 1877-October 22, 1879.
Charles M. Butler	October 22, 1879-February 21, 1881.
Leonidas P. Newby	February 21, 1881-October 22, 1883.
George W. Duncan	October 22, 1883-October 22, 1887.
William O. Barnard	October 22, 1887-October 22, 1893. The act of February 22, 1889, made Henry the sole county in the newly created Fifty-third, where it has since remained. This act transferred Barnard from the Eighteenth to the Fifty-third.
Frank E. Beach	October 22, 1893-October 22, 1897.
Wrighter R. Steele	October 22, 1897-January 1, 1902.
Edgar Jackson	January 1, 1902-January 1, 1906.
George M. Barnard	January 1, 1906-January 1, 1910.
Herbert H. Evans	January 1, 1910-January 1, 1914.
Walter R. Myers	January 1, 1914-January 1, 1916.
Charles O. Nogle	January 1, 1916; term expires January 1, 1918.

HOWARD COUNTY.

Howard county was organized out of the great Miami Reservation, as Richardville county, by the act of the Legislature, January 15, 1844, the act becoming effective May 1, 1844. The county was named in honor of Richardville, a Miami chief and successor of Little Turtle. On December 28, 1846, the name of the county was changed by an act of

the Legislature from Richardville to Howard. The name was in honor of Tilghman A. Howard, a noted Indiana statesman of that time. Originally Howard county was a part of the Eighth judicial circuit, which included also Carroll, Cass, Miami, Fulton, Pulaski, White and Jasper counties. The first term of what was then known as the Richardville circuit was held November 7, 1844, at the house of John Harrison in the township now called Ervin. Nothing much was done on the first day of the term. The first Judge of the Howard Circuit court was John W. Wright, of Logansport, who served from 1844 to 1847. N. R. Lindsey, subsequently Judge of the Howard Common Pleas court, was enrolled as a member of the bar on the second day, and on the third day the grand jury returned twenty-five indictments. The first petit jury received thirty-five cents each for one day's service. A term of court generally lasted from three to four days, but seldom longer. The first court house was built in 1845 of hewn logs with a clapboard roof, twenty-four feet square and two stories high. The upper room was fitted up for a court room. In 1868 a new court house was begun, which was finished in 1870 at a cost of seven thousand five hundred and forty-eight dollars and forty cents. This court house is still in use.

Judge John W. Wright, the first Judge of the Circuit court, was noted for his eccentricities. He presided at a trial during his term of office in which Abraham Lincoln and Joseph E. McDonald were opposing counsel. The two eminent lawyers set forth in detail the law in the case, one which was particularly intricate, and Judge Wright immediately ruled on it without consulting any authorities. It took him but a few minutes to dispose of a case on which the two learned lawyers had been working for weeks. After Lincoln's election and inauguration as President, McDonald called upon him and was grasped heartily by the hand of the President, who inquired: "How's old Judge Wright, anyway?" In conversation, Judge Wright was given to exaggerations, and on some occasions showed a particularly vicious temper. Subsequently Judge Wright removed to Washington, D. C., where he became quite wealthy. His death occurred in Washington and his body was brought back to Logansport for burial.



J. A. Howard

Judge Horace P. Biddle, of Logansport, succeeded Judge Wright in 1847, and served until his resignation in the spring of 1852. He was an able jurist, a savant, and a gentleman of broad culture. Upon his retirement from the Supreme bench of Indiana, upon which he served from 1875 to 1881, he returned to Logansport, and spent his closing years at his home on Biddle's island, in that city.

Judge Biddle was succeeded in 1852 by Gen. R. H. Milroy, of Delphi, who served by appointment from April 20, 1852, to October 12, 1852. At this period the Circuit court acquired a migratory character. The May, 1854, term of court was held in the Methodist church on West Mulberry street.

The fourth Judge of the Howard Circuit court was John U. Pettit, of Wabash (1853-54), a man of striking personal characteristics and eccentricities. He was a graduate of Columbia College, and a classmate of Robert Toombs, of Georgia, the "great Southern fire-eater and slavery advocate." Judge Pettit represented the Eleventh Indiana district in the thirty-fifth Congress from 1857 to 1859. He was speaker of the Indiana House of Representatives during the forty-fourth session and the special session following it. Upon the resignation of Judge Pettit on August 28, 1854, John Brownlee was appointed and served until October 25, 1854.

The next Judge was John M. Wallace, of Marion, who was a native of Franklin county, a brother of Governor David Wallace, and an uncle of General Lew Wallace. He served from 1854 until the act of February 1, 1859, put Howard in the Seventh circuit, over which Joseph S. Buckles was presiding. Judge Buckles lived near Muncie on a stock farm of six hundred and fifty acres. Judge Buckles was elected to the bench as a Democrat before the Civil War, but became a Republican and remained so during the rest of his life.

In 1867 the circuit was changed and Howard county was organized with Madison, Hamilton and Tipton counties into the Seventeenth judicial circuit. Henry A. Brouse, of Kokomo, was appointed Judge of the new circuit and served until October 19, 1867.

Judge Brouse never admired technicality enough to be

skillful in the use and construction of it. As a lawyer he employed it from necessity. He had a natural antipathy and aversion to it, and in taking advantage of technicality, he was much more skillful than in the formulation of it. He believed that courts were established to administer justice, and that when technicality conspired to this end, it ought scrupulously to be observed.

John Davis, of Anderson, was elected as the successor of Judge Brouse. He was a man of scholarly attainments and had been a corporation lawyer. Shortly after taking up his duties as Judge, he became enfeebled by disease, and was rendered unable to perform the duties of his office. He nevertheless refused to resign and, his office being a constitutional one, he could not be removed. The Legislature of 1871, however, passed an act to meet the emergency, providing for the choice of a Judge pro tem, and the Governor appointed Judge James O'Brien, of Kokomo (March 4, 1871), as the successor to Judge Davis. He was an able Judge and, personally, was positive in his likes and dislikes. He had warm friends and bitter enemies. During Judge O'Brien's administration, a new judicial circuit was formed comprising Howard and Tipton counties. Thomas A. Hendricks was then Governor of Indiana, and he appointed Clark N. Pollard, of Kokomo, as Judge of the Thirty-sixth circuit, comprising Tipton and Howard counties. Judge Pollard was appointed March 12, 1873, and at the succeeding election in October, 1873, he was elected and served until 1879, when Judge Nathaniel R. Overman, of Tipton, succeeded to the judicial office. Judge Overman died in office (October 25, 1883) and his unexpired term was filled by Judge O'Brien. At the ensuing election, Judge Daniel Waugh, of Tipton, was elected as Overman's successor. Following Judge Waugh, Lex J. Kirkpatrick, of Kokomo, was elected in 1890. He was succeeded by Walter W. Mount, of Tipton, in 1896, and Judge Mount was succeeded by Judge James F. Elliott, of Kokomo, in 1902. Judge Elliott was succeeded by Lee Nash, of Tipton, in 1908, who presided over the courts of Tipton and Howard counties until Howard county was made a separate circuit by the act of March 1, 1909. Lex J. Kirkpatrick was appointed Judge of the new

circuit and served from March 15, 1909, to January 1, 1911. The present Judge of the Howard Circuit court is William C. Purdum, of Kokomo, whose term will expire in 1917.

Nathan C. Beals was the first Probate Judge (1844-46) of Howard county. He was a plain, good natured, unsophisticated farmer, and a man of average intellect. Benjamin Lesoura, who succeeded Beals, was an honest, upright and industrious citizen, and a farmer by occupation. Nathan C. Beals was elected to succeed Judge Lesoura, and he, in turn, was followed by Robert Ervin, who served until the office was abolished.

The first Judge of the Howard Common Pleas court was Earl S. Stone, a quiet, unassuming lawyer of fair ability. Nathaniel R. Lindsey, of Kokomo, succeeded Judge Stone on the bench. He was twice elected Judge of the Common Pleas court, but resigned before the end of his second term. Before Nathaniel Lindsey was eight years old, he was left, by the death of his father, to orphanage and penury in a wilderness home, and without property or a father's counsel, commenced the battle of life. He was elected justice of the peace at the age of twenty-four years, at a time when the office was far more important than it is now. Judge Lindsey was a member of the thirty-sixth, fifty-second and fifty-fourth Indiana General Assemblies, 1851, 1881 and 1885. As a member of the Legislature he was engaged in codifying the laws of the state after the adoption of the present Constitution. As a lawyer, he was distinguished for his ability as an advocate and for his tact in the management of a trial. Judge Green, of Tipton, was the third Judge of the Common Pleas court. Judge Green, besides being a matter-of-fact lawyer, was popular with the people. The last Judge of the Howard Common Pleas court was William Garver, a resident of Hamilton county, who had studied law under Isaac Blackford. Judge Garver was a member of the fiftieth session of the Indiana General Assembly in 1877, and a member of the special session which followed it. He was the last Judge of the Howard Common Pleas court, and served until the court was abolished in 1873.

Among the early lawyers who practiced before the How-

ard Circuit court were James W. Robinson, J. B. Johnson, Nelson Purdum, Joel Lewis, Rawson Vaile, Capt. Milton Garrigus, David Nation, John W. Kern, J. Fred Vaile, B. F. Harness, John W. Cooper, Col. N. P. Richmond, Charles E. Hendry, Daniel H. Bennett and Nathaniel P. Lindsay.

James W. Robinson was a singular character, who read a great deal, but studied very little, and who incessantly bluffed and blustered. He was nevertheless good at repartee, and was popular among the lawyers of the county. J. B. Johnson was a young man of considerable brilliancy and more than ordinary talent. He did not live long enough to fully mature and develop his powers. Nelson Purdum, an early attorney at the Howard county bar, was the first mayor of Kokomo. He detested buncombe, rant and bombast, and was most proficient in the civil law. Joel Lewis had the reputation of being one of the best collection lawyers in northern Indiana. He was nervous in writing, in speech, and in fact in everything. Rawson Vaile, more than any other member of the bar, was accustomed to explore into the depths of old records, minutely and critically examining every mouldy paper buried beneath the dust of years. There was no foolishness about him, and he was little inclined to a joke. At one time in life he was actively engaged in the duties of journalism, and published the *Free Territory Sentinel*. He was also at one time one of the editors of the *Indianapolis Journal*.

In 1847 Milton Garrigus came to Howard county from Wayne county. While postmaster at Greentown, Captain Garrigus studied law, and later held trials in the postoffice. David Nation, famous as the divorced husband of Carrie Nation, the Kansas temperance cyclone, was once a lawyer in Howard county. Two members of the Howard county bar have attained national prominence—J. Fred Vaile, later of Denver, Colorado, and a leading lawyer of the country, and John W. Kern, United States senator from Indiana, and the nominee of the Democratic party for Vice-President in 1908. When a youth, Vaile ran away to college, and paid the expenses of his first year at Oberlin by doing chores and cutting wood. He graduated with honor and then taught school in Kentucky.

He secured the only death penalty ever obtained from a Howard county jury. In a case involving technical chemical knowledge his argument reflected the learning of a college professor.

John W. Kern came to Kokomo from the University of Michigan in 1869, and immediately thereafter hung out his shingle. Early in his legal experience Mr. Kern encountered at the Howard county bar, Rawson Vaile, editor of the *Indianapolis Journal* before the Civil War, and father of J. Fred Vaile, of Denver, a schoolmate of Mr. Kern, and now one of the best known lawyers of the west. The elder Mr. Vaile wore a stiff tile, and Kern, while making an argument to the court, brought his law books down on Mr. Vaile's plug hat with a crash, smashing it completely. Senator Kern was threatened with a fine for contempt, but with all the wit with which he is possessed, he begged the pardon of the injured lawyer and the mercy of the court, pleading inadvertence during the heat of argument. Senator Kern was for several years a partner of Judge B. F. Harness. Subsequently he removed to Indianapolis, and for a number of years practiced law with Joseph Bell, now mayor of Indianapolis. Senator Kern was a candidate for election to the United States Senate in 1909, and was defeated. In 1911, however, he was elected for a term of six years, and immediately became prominent as a national leader of his party in the Senate.

Upon coming to Kokomo, John W. Cooper formed a partnership with James W. Robinson. Later, however, he practiced alone. Cooper was slow of speech, deliberate in action and careful and sound in thought. Col. N. P. Richmond was possessed of fine legal judgment, but was an indifferent student. Charles E. Hendry was a man of sanguine temperament, and therefore easily depressed and discouraged. He was a painstaking advocate and partial to the prolix common law formulation. Arthur Bell, who began the practice of law at Kokomo, died early in life. Jacob H. Kroh was an attorney of average speech, but of deep human sympathies, and possessed of fine clerical ability. Dan H. Bennett, at one time editor of the *Howard County Republican*, was also a lawyer

of considerable ability. He was a man given to tirades and vilification in the trial of cases, but he was so by design rather than by temperament. As the editor of the *Howard County Republican*, he supported Judge Pollard, running as an independent candidate for Judge of the Howard Circuit court in October, 1873, and opposed N. R. Lindsey, the nominee of the Republican party, who was supported by T. C. Phillips as editor of the *Tribune*. Pollard defeated Lindsey and made an able Judge.

ASSOCIATE JUDGES.

Thomas A. Long-----June 5, 1844, to serve seven years from date.
 Robert Ervin -----June 5, 1844, to serve seven years from date.
 Thomas McClure ----August 20, 1850, to serve seven years from June 5,
 1851.
 William Davis -----August 20, 1850, to serve seven years from June 5,
 1851.

PROBATE JUDGES.

Nathan C. Beals-----August 19, 1844.
 Benjamin Lesoura ----August 15, 1846, to serve seven years from August
 19, 1846; removed from county prior to January
 30, 1851.
 Nathan C. Beals-----January 30, 1851, appointed.
 Robert Ervin-----August 27, 1851.

COMMON PLEAS JUDGES.

Earl S. Stone-----1852-56.
 Nathaniel R. Lindsey--1856-60.
 John Green -----1860-64.
 Nathaniel R. Lindsey--1864-65, resigned.
 William Garver-----Appointed February 4, 1865-73.

DISTRICT PROSECUTING ATTORNEYS.

C. E. Shipley -----1852-54.
 William Brown -----1854-56.
 James A. Gray-----1856-57, removed from state.
 Oliver T. Baird -----Appointed June 10, 1857; appointment set aside
 by court on account of return of Gray.
 James A. Gray-----1857-58.
 Barsabas Giltner ----1858-60.
 Nathan W. Gordon----1860-61.
 Joel Stafford -----1861-62.
 Thomas S. Underhill--1862-64.
 James A. Strech-----1864-66.
 Levi Farley -----1866, resigned.
 August F. Shirts ----Appointed November 17, 1866-67.

Noah W. Parker.....1867-68.
 Joseph L. Custer.....1868-1872.
 Robert B. Beauchamp--1872-73.

PRESIDENT JUDGES.

At the time of its organization, May 1, 1844, Howard county was placed in the Eighth circuit, where it remained until October 12, 1852. During this time only three Judges sat on the bench in Howard county, the first being John W. Wright, who was serving at the time the county was organized and who continued until January 29, 1847, when he was succeeded by Horace P. Biddle. Biddle resigned on April 20, 1852, and Robert H. Milroy was appointed to the office, serving until the adoption of the new constitution.

CIRCUIT JUDGES.

Thomas Stanfield -----October 12, 1852-January 21, 1853. The act of January 21, 1853, took Howard out of the Ninth and put it in the Eleventh.

John U. Pettit.....Appointed January 25, 1853; resigned August 28, 1854.

John Brownlee -----Appointed August 28, 1854-October 25, 1854.

John M. Wallace.....October 25, 1854-February 1, 1859. The act of February 1, 1859, put Howard in the Seventh.

Joseph S. Buckles.....February 1, 1859-February 11, 1867. Judge Buckles had been on the bench in the Seventh since October 26, 1858. The act of February 11, 1867, 1867, put Howard in the Seventeenth.

Henry A. Brouse.....Appointed February 18, 1867-October 19, 1867.

John Davis -----October 19, 1867-March 4, 1871.

James O'Brien -----Appointed March 4, 1871-March 6, 1873. The act of March 6, 1873, put Howard in the Thirty-sixth.

Clark N. Pollard.....Appointed March 12, 1873-October 24, 1879.

Nathan R. Overman...October 24, 1879; died in office October 25, 1883.

James O'Brien -----Appointed November 1, 1883-November 14, 1884.

Daniel Waugh -----November 14, 1884-November 14, 1890.

Lex J. Kirkpatrick...November 14, 1890-November 14, 1896.

Walter W. Mount.....November 14, 1896-November 14, 1902.

James F. Elliott.....November 14, 1902-November 14, 1908.

Leroy B. Nash.....November 14, 1908-March 1, 1909. The act of March 1, 1909, made Howard the sole county in the newly created Sixty-second, where it has since remained.

Lex J. Kirkpatrick...Appointed March 15, 1909-January 1, 1911.

William C. Purdum...January 1, 1911; term expires January 1, 1917.

PROSECUTING ATTORNEYS.

- William Z. Stuart.....May 1, 1844-December 15, 1845. Eighth circuit.
 David M. Dunn.....December 15, 1845-December 15, 1847.
 William PotterAugust 23, 1849-August 28, 1851, resigned.
 George E. Gordon.....August 28, 1851-September 15, 1852, resigned.
 John M. Wilson.....September 15, 1852-October 12, 1852.
 D. J. Woodward.....October 12, 1852-January 21, 1853. The act of
 January 21, 1853, took Howard out of the Ninth
 and put it in the Eleventh.
 John M. Connell.....January 25, 1853-January 1, 1854.
 Isalah M. Harlan.....January 1, 1854-February 27, 1856, resigned.
 Orris BlakeAppointed February 27, 1856-October 30, 1856.
 Charles H. Parrish.....October 30, 1856-December 1, 1858.
 Richard P. DeHart.....December 1, 1858-February 1, 1859. The act of
 February 1, 1859, put Howard in the Seventh.
 David MossOctober 31, 1859-November 12, 1861.
 John A. Harrison.....November 12, 1861-November 9, 1865.
 Lemuel G. Gooding.....November 9, 1865-February 11, 1867. The act of
 February 11, 1867, put Howard in the Seventeenth.
 Nicholas Van Horn.....Appointed February 18, 1867-October 25, 1867.
 William O'BrienOctober 25, 1867-October 24, 1870.
 James F. Elliott.....October 24, 1870-October 26, 1874. The act of
 March 6, 1873, put Howard in the Thirty-sixth,
 and transferred Elliott from the Seventeenth to
 the Thirty-sixth.
 Robert B. Beauchamp..October 26, 1874-October 26, 1876.
 Joel Fred Valle.....October 26, 1876-October 26, 1878.
 John A. Swoveland....October 26, 1878-October 26, 1880.
 John E. Moore.....October 26, 1880-November 17, 1882.
 Cassius C. Shirley....November 17, 1882-November 17, 1884.
 James M. Fippen.....November 17, 1884-November 17, 1886.
 Albert B. Kirkpatrick..November 17, 1886-November 17, 1888.
 Walter W. Mount.....November 17, 1888-November 17, 1890.
 James N. Smith.....November 17, 1890-November 17, 1892.
 John F. Pyke.....November 17, 1892-November 17, 1894.
 William D. Davis.....November 17, 1894-November 17, 1896.
 B. F. Harness.....November 17, 1896-November 17, 1898.
 Frank M. Stratton....November 17, 1898-January 1, 1901.
 Every A. Mock.....January 1, 1901-January 1, 1903.
 Edward DanielsJanuary 1, 1903-January 1, 1905.
 Cleon Wade Mount....January 1, 1905-January 1, 1907.
 J. Fenimore Cooper....January 1, 1907-January 1, 1909.
 Arthur G. Manning....January 1, 1909-March 1, 1909. The act of March
 1, 1909, made Howard the sole county in the newly
 created Sixty-second.
 Donald P. Strode.....November 22, 1910-January 1, 1913.
 Fred H. Jessup.....January 1, 1913-January 1, 1915.
 Donald P. Strode.....January 1, 1915; term expires January 1, 1917.

HUNTINGTON COUNTY.

Huntington county was created by the legislative act of February 2, 1832, but for some reason no immediate action was taken by the residents of the county looking toward its organization. It took a second act (February 1, 1834) to effect its organization, the second act providing that the county should be formally organized on the first of the following March. It was not held until May 5, 1834, that the first meeting of the county commissioners was held. During the summer of 1834 the locating commissioners, who were designated in the act organizing the county, looked over the various sites proposed for the county seat. They finally decided upon the site of the present town of Huntington, on land which at that time was owned by Gen. John Tipton. Tipton offered to deed a number of lots to the county if the seat of justice was located on his land, and in view of the fact that the site was on the Wabash river and near the center of the county, the locating commissioners decided to accept his offer. Another consideration which entered into the selection of this site was the offer by Tipton of the use of a building for the use of the county until a suitable court house should be erected.

The first term of the Huntington Circuit court was held at the house of Jonathan Keller, one of the first settlers of the county and familiarly known as "Old Broadhorn." The minutes of the first meeting of the court indicate that the session convened on March, 1835. Upon the organization of the county it had been attached to the Eighth circuit, which at that time was presided over by Gustavus A. Everts. The Associate Judges at this initial session of the court were Murdock McLane and Keller, and the prosecuting attorney was Samuel C. Sample.

The first case called for trial was that of the state of Indiana vs. George Welshons, who had been indicted for assault and battery. The first jury trial concerned Thomas Curran, who was indicted for grand larceny.

In July, 1836, Judge Everts was succeeded by Samuel C. Sample, of Allen county, as Circuit Judge, and Joseph L. Jernegan was chosen prosecuting attorney. At the same time

George A. Fate was elected Associate Judge to succeed Jonathan Keller. Judge Charles W. Ewing, of Allen county, who succeeded Judge Sample in March, 1837, was a brilliant orator and lawyer. He was deservedly popular both on the bench and at the bar. Governor Wallace appointed Henry Chase, of Cass county, to fill the vacancy caused by the resignation of Judge Ewing on August 20, 1839, and when the Legislature of 1839 convened John W. Wright, of Cass county, was elected to preside over the Eighth circuit. Although Judge Wright served a full term of seven years, he presided over the Circuit court of Huntington county only about two years.

The Legislature on December 14, 1841, redistricted the state for judicial purposes and Huntington county was made a part of the Twelfth circuit, which included the northeastern portion of the state. James W. Borden, of Fort Wayne, was elected by the Legislature as President Judge (December 15, 1841) and William H. Coombs became the first prosecuting attorney under the new law. Judge Borden continued on the bench until 1851.

In March, 1841, the first term of court was held in the new court house on the southeast corner of Jefferson and Franklin streets. While the court house was under construction the sessions of the court were held in the school house on West State street. This court house was the frame building erected by Gen. John Tipton and presented to the county. Elza A. McMahan was appointed Judge of the circuit July 31, 1851, to fill the unexpired term of Judge Borden, and served until the new Constitution went into operation, October 12, 1852.

Huntington county was placed in the Tenth circuit by the act of June 17, 1852, and Elza A. McMahan, who had served as President Judge for about a year, was elected as the first Circuit Judge of the Tenth. The Tenth included the counties of Huntington, Wells, Adams, Wabash, Whitley, Allen, Noble, Lagrange, Steuben, Elkhart and Kosciusko. The size of the Ninth and Tenth circuits soon made it imperative that a new circuit would have to be organized, and the Legislature, with the act of January 21, 1853, took one county out of the Seventh, two out of the Tenth and five out of the Ninth, and constituted

these eight counties as the new Eleventh circuit. Huntington and Wabash were taken out of the Tenth and attached to this new circuit. Judge McMahon did not hold a session of court in Huntington county under the new Constitution. Four days after the circuit was organized the Governor appointed John U. Pettit, of Wabash, as the first Judge of the new circuit.

In February, 1853, the first term of the Huntington Circuit court under the new Constitution convened with John U. Pettit, of Wabash county, who had previously served in the Indiana Legislature and as United States consul at Rio de Janeiro, Brazil, as Judge. His judicial district comprised Carroll, Cass, Miami, Wabash, Huntington and Grant counties. Having been elected to Congress, Judge Pettit resigned in 1854 and was succeeded by John Brownlee, of Grant county, appointed by Governor Wright on September 6, 1854. In 1854 John M. Wallace, of Grant county, was elected to fill out the unexpired term of Judge Pettit. His first term of court in Huntington county was held in February, 1855. Later, however, Judge Wallace absented himself from Huntington county on account of a personal feud, and during this period Judge Brownlee presided over the court by appointment.

In the fall of 1860 Horace P. Biddle, of Cass county, who had been a delegate to the Constitutional Convention of 1852, was elected to succeed Judge Wallace. He was re-elected in 1866, but his connection with the Huntington Circuit court ended when the act of May 3, 1869, put Huntington back into the Tenth circuit. Robert R. Lowry, who had been on the bench of the Tenth since October 26, 1864, now became the Judge of Huntington Circuit court and so continued until the act of December 14, 1872 put Huntington in the Twenty-second with Miami and Wabash. John U. Pettit, who had previously served in Huntington county as Judge, was appointed January 6, 1873, as Judge of the new circuit, but he served only two months. The act of March 6, 1873, united Huntington with Grant and Blackford in the Twenty-eighth circuit. The Governor appointed James R. Slack as Judge of the newly created Twenty-eighth, his commission being issued April 21, 1873. He was elected in the fall of 1873 and re-elected in the fall of 1879. He died in August, 1881, while

-serving his second term. Governor Porter appointed Henry B. Sayler to fill the unexpired term of Judge Slack, and by subsequent election Judge Sayler served until November 17, 1888.

Joseph S. Dailey, of Wells county, succeeded Judge Sayler and served until he resigned, July 25, 1893, to accept an appointment to the Supreme bench of the state. However, before this time the act of March 4, 1893, had constituted Huntington as the sole county of the newly created Fifty-sixth. Grant was made the Forty-eighth at the same time, and Wells and Blackford became the Twenty-eighth. Orlando Whitlock, a graduate of the University of Michigan, was appointed by Governor Mathews, March 15, 1893, as the first Judge of the Fifty-sixth circuit. He served by appointment until November 10, 1894, when he was succeeded by Charles W. Watkins for a six-year term. James C. Branyan, a graduate of Wabash College and a veteran of the Civil War, served from 1900 to 1906, at which latter date Samuel E. Cook, the present incumbent, took the bench.

ASSOCIATE JUDGES.

Jonathan Keller.....	April 16, 1834, to serve seven years from date.
Murdock McLane.....	April 16, 1834, to serve seven years from date.
George A. Fate.....	August 14, 1835, vice Jonathan Keller (removed from county), to serve seven years from April 16, 1834, resigned, October, 1837.
John Lewis.....	February 9, 1838 (special election), vice George A. Fate, resigned, to serve seven years from April 16, 1834.
Daniel James.....	August 23, 1838, to serve seven years from April 16, 1834.
William C. Parker....	August 17, 1840 (special election), to serve seven years from April 16, 1841.
Samuel B. Caley.....	August 17, 1840 (special election), to serve seven years from April 16, 1841.
John D. Pulse.....	August 30, 1847, to serve seven years from April 16, 1848, resigned April 4, 1851.
Daniel James.....	August 30, 1847, to serve seven years from April 16, 1848.

PROBATE JUDGES.

Joel Grover.....	August 14, 1834; resigned March 20, 1836.
Erwin W. Madison....	December 31, 1836, ice Erwin W. Madison, resigned.

- Edwin W. Madison----Angnst 14, 1836; resigned, December, 1836.
 William S. Shearer---- December 31, 1836, vice Edwin W. Madison, re-
 signed.
 William S. Shearer---- November 23, 1837; resigned, July, 1838.
 James Gilluce----- August 14, 1838 (special electiou), vice William
 S. Shearer, resigned. James Gilluce filed resigna-
 tion March 24, 1841.
 William S. Shearer---- April 23, 1841 (special election).
 William S. Shearer---- August 11, 1841, to serve seven years from date.
 Michael Crum----- August 29, 1848; died July 28, 1849.
 David Garlie----- August 6, 1849, vice Michael Crum, deceased.
 William P. Schenck---- September 10, 1850.

COMMON PLEAS JUDGES.

- Wilson B. Loughbridge-- 1852-60.
 Joseph Brackenridge-- 1860-64.
 James W. Borden----- 1864-67, resigned.
 Robert S. Taylor----- Appointed October 29, 1867-November 2, 1868.
 David Studebaker----- 1868-69, resigned.
 Robert S. Taylor----- Appointed September 1, 1869-October 24, 1870.
 William W. Carson----- 1870-72, resigned.
 Samuel E. Sinclair---- Appointed September 5, 1872-73.

DISTRICT PROSECUTING ATTORNEYS.

- Erastus K. Bascomb--- 1852-53.
 Benedict Burns----- 1853-54, resigned.
 N. Lyeurgus Perry---- Appointed June 15, 1854.
 Amazi White----- 1854-56.
 Samuel Mahon----- 1856-58.
 Lawton Burwell----- 1858-59, resigned.
 A. V. Blair----- Appointed March 12, 1859, failed to qualify.
 Frederick Lucas----- Appointed March 24, 1859.
 James G. Smith----- 1859-60.
 David T. Smith----- 1860-62.
 David Colerick----- 1862-66.
 Joseph S. Dafley----- 1866-68.
 Benjamin F. Ibach---- 1868-72.
 Jacob R. Bittinger---- 1872-73.

PRESIDENT JUDGES.

- Gustavus A. Everts---- December 2, 1834-July 5, 1836, resigned. Eighth
 circuit.
 Samuel C. Sample---- Appointed July 5, 1836-December 10, 1836; trans-
 ferred to the Ninth.
 Charles W. Ewing----- Appointed December 10, 1836; resigned August
 20, 1839.
 Henry Chase ----- Appointed September 1, 1839-December 14, 1839.

John W. Wright-----December 14, 1839-December 14, 1841. The act of December 14, 1841, put Huntington in the Twelfth.

James W. Borden-----December 15, 1841; resigned July 31, 1851.

Elza A. McMahon-----Appointed July 31, 1851-October 12, 1852.

CIRCUIT JUDGES.

Elza A. McMahon-----October 12, 1852-January 21, 1853. The act of January 21, 1853, took Huntington out of the Tenth and put it in the Eleventh.

John U. Pettit-----Appointed January 25, 1853; resigned August 28, 1854.

John Brownlee-----Appointed September 6, 1854-October 25, 1854.

John M. Wallace-----October 25, 1854-October 26, 1860.

Horace P. Biddle-----October 26, 1860-May 3, 1869. The act of May 3, 1869, put Huntington in the Tenth.

Robert R. Lowry-----May 3, 1869-December 14, 1872. Judge Lowry had been on the bench of the Tenth since October 26, 1864. The act of December 14, 1872, put Huntington in the Twenty-second.

John U. Pettit-----Appointed January 6, 1873-March 6, 1873. The act of March 6, 1873, put Huntington in the Twenty-eighth.

James R. Slack-----Appointed April 1, 1873; died in August, 1881.

Henry B. Saylor-----Appointed August 15, 1881-November 17, 1888.

Joseph S. Dailey-----November 17, 1888-March 4, 1893. The act of March 4, 1893, made Huntington the sole county of the Fifty-sixth, where it has since remained.

Orlando Whitecock-----Appointed March 15, 1893-November 10, 1894.

Charles W. Watkins----November 10, 1894-November 10, 1900.

James C. Branyan-----November 10, 1900-November 10, 1906.

Samuel E. Cook-----November 10, 1906; term expires November 10, 1918.

PROSECUTING ATTORNEYS.

Samuel C. Sample-----December 4, 1834-July 5, 1836, resigned. Eighth circuit.

Joseph L. Jernegan-----Appointed July 5, 1836-December 10, 1836; transferred to Ninth.

Thomas Johnson-----Appointed December 10, 1836-December 3, 1838.

John W. Wright-----December 3, 1838-December 5, 1839.

Lucian P. Ferry-----December 5, 1839-December 14, 1841. The act of December 14, 1841, put Huntington in the Twelfth.

William H. Combs-----December 14, 1841; resigned October 30, 1843.

Robert L. Douglas-----December 14, 1843-September 19, 1845.

Elza A. McMahon-----September 19, 1845-September 19, 1847.

James L. Worden-----August 28, 1851-October 12, 1852.

- John M. Connell-----October 12, 1852-January 1, 1854. The act of January 21, 1853, took Huntington out of the Tenth and put it in the Eleventh. This act transferred Connell to the Eleventh.
- Isaiah M. Harlan-----January 1, 1854-February 27, 1856, resigned.
- Orris Blake-----Appointed February 27, 1856-October 30, 1856.
- Charles H. Parrish-----October 30, 1856-December 1, 1858.
- Richard P. DeHart-----December 1, 1858-October 29, 1860, resigned.
- Meredith H. Kidd-----Appointed November 1, 1860-February 17, 1862, resigned.
- Thomas C. Whiteside---Appointed February 17, 1862-November 3, 1864.
- Dudley H. Chase-----November 3, 1864-May 3, 1869. The act of May 3, 1869, put Huntington in the Tenth.
- Joseph S. Dailey-----May 3, 1869-December 14, 1872. The act of December 14, 1872, put Huntington in the Twenty-second. There is no record of a prosecutor being appointed or elected for the Twenty-second prior to October 24, 1874.
- John W. Morgan-----March 6, 1873-October 28, 1873. The act of March 6, 1873, put Huntington in the Twenty-eighth.
- Alfred Moore-----October 28, 1873-October 28, 1877.
- Asbury E. Steele-----October 28, 1877-October 28, 1879.
- Charles W. Watkins----October 28, 1879-October 28, 1883.
- George W. Gibsou-----October 28, 1883-October 28, 1885.
- Sidney W. Cantwell----Commissioned November 14, 1884, for a two-year term to begin October 28, 1885, but the act of March 3, 1885, transferred Cantwell from the Twenty-eighth to the Forty-eighth.
- E. C. Vaughn-----March 3, 1885-November 17, 1888. The act of March 3, 1885, transferred Vaughn from the Twenty-sixth to the Twenty-eighth.
- William A. Branyan---November 17, 1888-November 17, 1892.
- Samuel E. Cook-----November 17, 1892-November 17, 1894. The act of March 4, 1893, put Huntington in the Fifty-sixth, where it has since remained.
- E. E. Kelsey-----November 17, 1894-November 17, 1896.
- James R. Day-----November 17, 1896-November 17, 1898.
- John S. Branyan-----November 17, 1898-January 1, 1901.
- William A. Mitchell---January 1, 1901-January 1, 1903.
- Clifford F. Jackman---January 1, 1903-January 1, 1907.
- George M. Eberhart----January 1, 1907-January 1, 1911.
- Otto H. Krieg-----January 1, 1911-January 1, 1915.
- Arthur H. Sapp-----January 1, 1915; term expires January 1, 1917.

JACKSON COUNTY.

Jackson county was organized out of a part of Washington and Jefferson counties by an act of the General Assembly, approved December 18, 1815. The records in the court house show that what was probably the first court in Jackson county was held at the town of Vallonia, the third Monday in January, 1816, before Associate Judges Joseph Kitchell and John Ketchum. Judges Kitchell and Ketchum also held a special session of the court on May 15, 1816. At this session of the court the commissioners appointed to select a county seat made their report and it was ordered that the permanent seat of justice should be located at Brownstown.

On November 18, 1816, a special session of the Circuit court was held before Cyrus Douglass and John Ketchum, Associate Judges. It was at one time believed that the first court house in Jackson county was erected at Vallonia, but this is hardly probable, since the county seat was located first at Brownstown, where it has ever since remained. The first court house built in Brownstown was used but a short time, a new court house being built in 1822. After many repairs and alterations had been made on the court house, a second building was erected and completed in September, 1834. Jackson county, therefore, had its fourth court house within a period of less than twenty years.

In 1853 an effort was made to move the county seat from Brownstown to Seymour, the latter of which had grown to be the largest city in the county. After a bitter struggle lasting for several years, the efforts to change the seat of justice were defeated and the county seat remained at Brownstown. In 1870 the present court house was erected at Brownstown at a cost of approximately thirty-one thousand dollars. The first session of the Jackson Circuit court after the state was admitted to the Union was held at Brownstown beginning Monday, April 7, 1817, with David Raymond, President Judge, and Ebenezer McDonald as prosecuting attorney.

Jackson county figures in a queer legislative error, which for a time made it doubtful as to what circuit the county really belonged. The act of March 6, 1889, had constituted

Jackson, Washington and Orange as the Forty-second circuit, and this circuit remained unchanged until 1905. The act of March 11, 1905, united Jackson and Scott counties in the Sixty-first circuit, notwithstanding the fact that eight days previously the Legislature had made Fountain county the sole county of the Sixty-first circuit. The facts in the matter are substantially these. At the time the bill to create the Jackson-Scott circuit was introduced in the Senate, there was another bill pending in the House to establish Fountain county also as the Sixty-first circuit. The Senate passed the bill creating the Jackson-Scott circuit, calling it the Sixty-first. But before the bill was passed, the House passed another bill making Fountain the Sixty-first circuit. Later both the House and the Senate passed the bill of the other house and as a result there appeared on the statutes two Sixty-first circuits. It seems queer that such a thing could actually be done without someone being cognizant of the same number being applied to both circuits—but it was actually done and it was not rectified until two years later. The act of February 13, 1907, united Jackson and Scott counties in the Fortieth circuit, where they have since remained. There had been no Fortieth circuit since 1880, at which time Steuben and Dekalb counties, which had been temporarily made the Fortieth circuit, were again joined with Noble in the Thirty-fifth circuit.

At the time the two Sixty-first circuits were established there was a question as to which circuit was legally entitled to be so called, but as the bill making Fountain the Sixty-first was the first to receive the signature of the Governor, it was the Jackson-Scott circuit which was in question. The Supreme court took notice informally of the situation and informed Governor Hanly that inasmuch as the bill specifically provided that the circuit should be composed of Jackson and Scott it did not make any difference.

Governor Hanly appointed John M. Lewis Judge of the Jackson-Scott Sixty-first circuit on March 16, 1905, to serve until a successor was elected and qualified. Joseph H. Shea was elected at the November, 1906, election and took the office in the following month. Judge Lewis and Judge-elect Shea agreed after the election that the former should

continue on the bench until January 1, 1907, but the change was effected during the preceding December. Judge Shea was later elected to the Appellate bench, but resigned in February, 1916, to accept an appointment as minister to Chile.

TERRITORIAL JUDICIARY.

- January 1, 1816-----Associate Judges of the Circuit court: Joseph Kitchell and John Keichman.
 January 1, 1816-----Justices of the peace: Cyrus Douglas and William Crenshaw.
 June 7, 1816-----Justices of the peace: William Flinn, James Trotter, Henry Rogers, Charles Crabb, Harry Kitchell and William Ruddick.
 August 7, 1816-----Associate Judge of the Circuit court: Cyrus Douglas.

ASSOCIATE JUDGES.

- Leonard C. Shoemaker February 24, 1817.
 James McGee -----February 24, 1817.
 Abel Findley -----August 20, 1823; resignation filed July 20, 1829.
 Jesse Rowland -----August 20, 1823; resignation filed September 13, 1826.
 William Williams -----November 9, 1826 (special election), vice Jesse Rowland, resigned. William Williams' resignation filed June 20, 1829.
 Thomas Ewing -----August 29, 1829 (special election), to serve seven years from August 20, 1823, vice William Williams, resigned.
 Thomas Ewing-----September 8, 1830, to serve seven years from February 24, 1831.
 Morgan Huff -----September 8, 1830, to serve seven years from February 24, 1831.
 Edwin H. Parsley-----August 21, 1837, to serve seven years from February 24, 1838.
 Eli M. Dailey-----August 21, 1837, to serve seven years from February 24, 1838.
 Edwin H. Parsley-----August 20, 1844, to serve seven years from February 24, 1845.
 Andrew Robertson ----August 20, 1844, to serve seven years from February 24, 1845; resigned, August, 1847.
 Adam Miller -----October 4, 1847 (special election), to serve seven years from February 24, 1845.
 James Ireland -----August 19, 1851, to serve seven years from February 24, 1852.
 William Berkey -----August 19, 1851, to serve seven years from February 24, 1852.

PROBATE JUDGES.

Abel Findley -----August 29, 1829.
 Abel Findley -----August 10, 1836.
 Samuel W. Tanner----August 12, 1843, resigned.
 William Williams ----August 20, 1846.

COMMON PLEAS JUDGES.

James R. E. Goodlet---1852-56.
 Frank Emerson -----1856-60.
 Ralph Applewhite ----1860; resigned April 28, 1862.
 Simon Stansifer -----Appointed April 28, 1862-November 1, 1862.
 Beattie McClellan ----1862-64.
 Jephtha D. New-----1864-68.
 Frank Emerson -----1868-73.

DISTRICT PROSECUTING ATTORNEYS.

E. D. Pearson-----1852-54.
 Ralph Applewhite ----1854-56.
 Robert McAftee -----1856-60.
 Lyeurgus Irwin -----1860-62, resigned.
 Jeremiah Bundy -----Appointed January 17, 1862.
 Jephtha D. New-----1862-64.
 William L. Bane-----1864-65, resigned.
 John M. Kerr-----Appointed August 25, 1865.
 Marion Mooney -----1865-66.
 Newton Crooke -----1866-70.
 Wilson S. Swengel----1870-72.
 George W. Cooper----1872-73.

PRESIDENT JUDGES.

David Raymond -----December 21, 1816-October 13, 1817, resigned. Sec-
 ond circuit.
 Davis Floyd -----Appointed October 13, 1817-December 18, 1823.
 John F. Ross-----December 18, 1823; died in office in 1834.
 John H. Thompson----Appointed July 5, 1834-December 20, 1844.
 William T. Otto-----December 20, 1844-October 12, 1852.

CIRCUIT JUDGES.

George A. Bicknell----October 12, 1852-March 6, 1873. The act of March
 6, 1873, took Jackson out of the Second and put
 it in the Third with Washington and Harrison.
 Frank Emerson -----Appointed March 15, 1873-October 22, 1873.
 Thomas C. Slaughter--October 22, 1873-March 3, 1877. The act of March
 3, 1877, put Jackson in the Forty-second with
 Washington.
 Thomas L. Collins----Appointed March 10, 1877; died in office in June,
 1890.
 William Farrell -----Appointed June 8, 1890-November 10, 1890.

- Samuel B. Voyles.....November 10, 1890; died in office November 21, 1898.
- David M. Alspaugh.....Appointed November 25, 1898-November 16, 1900.
- Thomas B. Buskirk...November 16, 1900-March 11, 1905. The act of March 11, 1905, made Jackson and Scott the Sixty-first circuit, which was an error, but it was rectified by the following Legislature February 13, 1907, when they were made the Fortieth.
- John M. Lewis.....Appointed March 16, 1905-November 16, 1906. Judge Lewis was appointed to serve on the bench while Jackson and Scott composed the Sixty-first.
- Joseph H. Shea.....November 16, 1906-November 19, 1912. The act of March 4, 1911, made Jackson and Lawrence the Fortieth, where they have since remained.
- Oren O. Swails.....November 19, 1912; term expires November 19, 1918.

Although the commission of Judge Shea was dated November 16, 1906, he did not assume the office at that time, owing to the fact that he had some legal matters on hand which he wished to conclude before he ascended the bench. He and Judge Lewis agreed that the latter should continue in office until January 1, 1907, but before that time Judge Lewis was employed in some litigation and Judge Shea qualified during December, 1906.

PROSECUTING ATTORNEYS.

- John KingsburyAugust 9, 1824-August 14, 1826. Second circuit.
- Milton StappAugust 14, 1826-December 30, 1826.
- John KingsburyDecember 30, 1826-December 30, 1828.
- John H. Thompson .. December 30, 1828-December 30, 1832.
- Isaac HowkDecember 30, 1832-June 5, 1833; died.
- Charles DeweyAppointed June 5, 1833-June 4, 1836; transferred to Supreme Court.
- John W. PayneAppointed June 4, 1836-December 12, 1840.
- Theodore I. Barnett...December 12, 1840-July 13, 1842; resigned.
- William A. PorterJuly 13, 1842-December 14, 1844.
- Cyrus L. Dunham.....December 14, 1844-December 14, 1846.
- George A. Bicknell....August 15, 1851-October 12, 1852.
- Samuel W. Short.....October 12, 1852-March 8, 1854, resigned. Second circuit.
- Patrick H. Jewett.....Appointed March 8, 1854-November 19, 1856.
- Thomas M. Browne...November 19, 1856-November 7, 1858.
- Robert W. Weir.....November 7, 1858-November 7, 1860.
- Ambrose B. Carlton...November 7, 1860-November 7, 1862.
- Thomas M. Browne....November 7, 1862-November 7, 1866.
- Robert W. Weir.....November 7, 1866-November 7, 1870.
- Robert J. Shaw.....November 24, 1870-March 6, 1873. The act of March 6, 1873, took Jackson out of the Second and put it in the Third.

- Alfred B. CollinsAppointed March 15, 1873-October 22, 1873.
- Samuel B. Voyles.October 22, 1873-March 3, 1877. The act of March 3, 1877, put Jackson in the Forty-second.
- Fred L. Prow.....October 22, 1877-October 22, 1881. The act of March 3, 1877, transferred Prow from the Third to the Forty-second.
- William T. Branaman..October 22, 1881-October 22, 1885.
- David H. Long.....October 22, 1885-October 22, 1889.
- William T. Branaman..October 22, 1889-October 22, 1895.
- Thomas M. Honan.....October 22, 1895-January 1, 1902.
- Simeon M. Hudson....January 1, 1902-February 23, 1904; vacancy declared.
- John M. Lewis.....Appointed February 23, 1904-January 1, 1905.
- William H. Voyles....January 1, 1905-March 16, 1905. The act of March 11, 1905, made Jackson and Scott the Sixty-first, which was an error, but it was rectified by the following Legislature, February 13, 1907, when they were made the Fortieth.
- Sanford MurphyMarch 16, 1905-November 16, 1906.
- Oren O. Swails.....November 16, 1906-January 1, 1911. The act of February 13, 1907, put Jackson and Scott in the Fortieth; transferred Swails to the Fortieth.
- Noble HaysJanuary 1, 1911-January 1, 1913. The act of March 4, 1911, made Jackson and Lawrence the Fortieth, where they have since remained.
- John H. Underwood...January 1, 1913-January 1, 1915.
- Marshall WooleryJanuary 1, 1915; term expires January 1, 1917.

JASPER COUNTY.

Jasper county came into existence as a result of the legislative act of February 17, 1838, and began its career as an independent county on the 15th of the following month. Jasper has had its county seats scattered over more territory than any county in the state. It started as a separate county, March 15, 1838, and included not only its present territory, but the present county of Newton and most of Benton as well. The first county seat was located at Parish Grove, thirty miles south of the present seat of justice, and five miles southwest of Fowler, the county seat of Benton county. This was chosen because it was near the center of the population and for the additional reason that it was one of the few high and dry spots in the county. Here the county commissioners held

their first session in 1838. At this meeting they considered the question of changing the site of the temporary county seat to the cabin of George W. Spitler in what is now Iroquois township, Newton county, if the residents of Pine township (now Parish Grove township, Benton county), were in favor of the change. A petition was ordered circulated in order to get the opinion of the Pine township citizens, and the result showed sixteen in favor and eight against the proposed removal. The change was largely brought about because Spitler had been elected county clerk and he refused to serve unless the place of business was brought nearer to his residence. The county commissioners held their March, 1839, meeting at the home of Spitler, the new temporary county seat. This temporary arrangement was upset by the legislative act of January 29, 1839, which named commissioners from White, Fountain, Warren and Tippecanoe counties to meet in Jasper county on the first Monday of June, 1839, to examine the counties of Jasper and Newton to see whether they should not be consolidated. If they considered it the best thing for the two counties they were to select a county seat for the enlarged county. Furthermore the new county was to be called Jasper and the county seat, Newton. The state commissioners met in June, 1839, and decided that the best interests of the two counties demanded consolidation. They selected the present site of Rensselaer for the county seat, although it was called Newton in accordance with the legislative act providing for its location. The original plat of the newly-chosen county seat was filed June 12, 1839. The early history of the county is hard to straighten out, owing to two destructive fires in the court house. The first occurred in 1843 and destroyed practically all the records. The second happened in 1864, and was generally supposed to have been the work of an incendiary who was interested in the destruction of the records. The whole interior and roof of the building was burned and all the papers and records of the county were destroyed except a few which could be saved from the outside.

The first court in Jasper county was held in the spring of 1839 at the house of George W. Spitler near Lyon's mill, in what is now Newton county. Isaac A. Naylor was the Presi-

dent Judge and Matthew Terflinger and James T. Timmons were the Associate Judges. Joseph A. Wright, later congressman, Governor of the state and United States minister to Germany, was appointed the first prosecuting attorney. It is interesting to note in this connection that Spitler, who, it appears, was the leading citizen of the county, built a small log building, sixteen feet square, in the yard adjoining his house, which served not only as a court house, but also served as a sleeping room for the Judge, lawyers, jury and witnesses. The first court convened in Rensselaer in April, 1840, at the "old half demolished cabin" situated near the residence of a man by the name of Merkle. The first building to serve as a court house was a small frame structure on Cornelia street, but when Judge John W. Wright came to the village to hold court in the spring of 1841, the "bedbugs had taken possession of the court room," and court was adjourned to an unfinished building designed as a blacksmith shop. In 1845 Van Rensselaer erected a two-story frame building, thirty-one by thirty-six feet, at his own expense and this served until 1857, when a brick court house was built on the public square.

ASSOCIATE JUDGES.

James T. Timmons.....	May 1, 1838, to serve seven years from date; resigned March, 1840.
Matthew Terflinger.....	May 1, 1838, to serve seven years from date.
John Coon	August 17, 1840 (special election), to serve seven years from May 1, 1838, vice James T. Timmons, resigned. John Coon resigned, September, 1841.
John Lyons.....	August 17, 1840, to serve seven years.
John Cozart.....	November 6, 1841 (special election), to serve seven years from May 1, 1838.
Paris Robinson.....	November 6, 1841 (special election), to serve seven years from May 1, 1838.
Robert Glover.....	August 21, 1844, to serve seven years from May 1, 1845; died prior to August 5, 1850.
Paris Robinson.....	August 21, 1844, to serve seven years from May 1, 1845.
John Leffler.....	August 20, 1850, to serve seven years from May 1, 1845, vice Robert Glover, deceased.
Samuel McCulloch.....	August 21, 1851, to serve seven years from May 1, 1852.
Robert Parker.....	August 21, 1851, to serve seven years from May 1, 1852.

PROBATE JUDGES.

- David McConnell-----August 22, 1838.
 William A. Waters----August 17, 1840; resigned, May, 1841.
 Samuel M. Dunn-----November 6, 1841 (special election), to serve seven
 years from date.
 Samuel W. Dunn-----August 29, 1848, to serve seven years from Novem-
 ber 16, 1848; died August 21, 1850.
 Benjamin Welsh-----September 24, 1850, to serve until successor is
 elected.
 Benjamin Welsh-----August 21, 1851, to serve seven years from date.

COMMON PLEAS JUDGES.

- David Mills-----1852-56.
 William R. Boyer-----1856-60.
 William C. Talcott----1860-68.
 Hiram A. Gillett-----1868-73.

DISTRICT PROSECUTING ATTORNEYS.

- James R. M. Bryant---1852-56.
 William H. Thompson-1856-57, resigned.
 Henry M. Nourse-----Appointed August 13, 1857-60.
 R. S. Dwiggin-----1860-62.
 Oliver W. Ray-----1862-64.
 James Burson-----1864-66.
 Elisha C. Fields-----1866-68.
 William H. Martin---1868-70.
 William T. Horine---1870-72.
 Newton T. Bozart---1872-73.

PRESIDENT JUDGES.

- Isaac Naylor-----March 15, 1838-December 14, 1841. The act of De-
 cember 14, 1841, took Jasper out of the First and
 put it in the Eighth.
 John W. Wright-----December 15, 1841-January 29, 1847.
 Horace P. Biddle-----January 29, 1847; resigned April 20, 1852.
 Robert H. Milroy-----Appointed August 20, 1852-October 12, 1852.

CIRCUIT JUDGES.

- William P. Bryant---October 12, 1852-January 21, 1853. The act of
 January 21, 1853, took Jasper out of the Eighth
 and put it in the Ninth.
 Thomas S. Stanfield---January 21, 1853-February 9, 1855. The act of
 February 9, 1855, put Jasper in the Twelfth.
 John Pettit-----Appointed March 5, 1855; resigned, October 7,
 1855.
 David Turpie-----Appointed October 7, 1855-November 9, 1855.
 Andrew Ingram-----November 9, 1855; resigned April 11, 1857.
 John Pettit-----Appointed April 13, 1857-October 27, 1857.

- Charles H. Test-----October 27, 1857-October 24, 1870.
 David P. Vinton -----October 24, 1870-March 6, 1873. The act of March 6, 1873, put Jasper in the Thirtieth.
 Edwin P. Hammond---Appointed in March, 1873; resigned May 21, 1883.
 Peter H. Ward-----Appointed May 21, 1883-November 14, 1890.
 Edwin P. Hammond---November 14, 1890; resigned in August, 1892.
 U. Z. Wiley-----Appointed August 31, 1892; resigned October 12, 1896.
 William Darroch-----Appointed October 13, 1896-November 10, 1896.
 Simon P. Thompson---November 10, 1896-November 10, 1902. The act of February 24, 1899, constituted Jasper and Newton the only counties in the Thirtieth, where they have since remained.
 Charles W. Hanley---November 10, 1902; term expires November 10, 1920.

PROSECUTING ATTORNEYS.

- John Law-----August 9, 1824-January 25, 1830. First circuit.
 Edward A. Haunegan---January 25, 1830-January 25, 1832.
 Andrew Ingram-----January 25, 1832-January 23, 1834.
 William P. Bryant---January 23, 1834-January 23, 1838.
 Joseph A. Wright-----January 23, 1838-December 5, 1839.
 Samuel C. Willson-----December 5, 1839-December 14, 1841. The act of December 14, 1841, took Jasper out of the First and put it in the Eighth.
 Spier S. Tipton.....December 15, 1841-December 15, 1843.
 William Z. Stuart-----December 15, 1843-December 15, 1845.
 David M. Dunn-----December 15, 1845-December 15, 1847.
 William Potter-----August 23, 1849-August 28, 1851, resigned.
 George E. Gordon-----August 28, 1851; resigned, September 15, 1852.
 John M. Wilson---Appointed September 15, 1852-October 12, 1852.
 Lewis Wallace-----October 12, 1852-May 14, 1853. Eighth circuit.
 Daniel W. Voorhees---Appointed May 14, 1853-July 24, 1854, resigned.
 Samuel L. Telford....Appointed July 24, 1854-November 7, 1854.
 Charles A. Naylor-----November 7, 1854-October 1, 1856, resigned. The act of February 9, 1855, took Jasper out of the Eighth and put it in the Twelfth. This act transferred Naylor to the Twelfth from the Eighth.
 John L. Miller-----October 30, 1856-November 3, 1862.
 William D. Lee-----November 3, 1862-November 3, 1864.
 Frank T. Everett-----November 3, 1864-November 3, 1868.
 James I. Justice-----November 3, 1868-November 3, 1870.
 Frank B. Everett-----November 3, 1870-November 3, 1872.
 Simon P. Thompson---November 3, 1872-November 3, 1876. The act of March 6, 1873, put Jasper in the Thirtieth. This act transferred Thompson from the Twelfth to the Thirtieth.

Harry S. Travis.....	November 3, 1876-November 3, 1878.
Frank W. Babcock ----	November 3, 1878-November 3, 1880.
David L. Bishop_ ----	November 3, 1880-November 17, 1882.
Mathew H. Walker....	November 17, 1882-November 17, 1886.
Ralph W. Marshall....	November 17, 1886-November 17, 1890.
John T. Brown.....	November 17, 1890-November 15, 1894.
T. C. Annabel.....	November 15, 1894; died after taking office.
James W. Douthit.....	Appointed March 30, 1895-November 17, 1896.
Albert E. Chizum.	November 17, 1896-April 21, 1899, resigned. The act of February 24, 1899, constituted Jasper and Newton the only only counties in the Thirtieth, where they have since remained.
Charles E. Mills... ..	Appointed April 21, 1899-January 1, 1901.
John D. Gink... ..	January 1, 1901-January 1, 1905.
Robert O. Graves.....	January 1, 1905-January 1, 1909.
Fred H. Longwell.....	January 1, 1909-January 1, 1915.
Reuben Hess.....	January 1, 1915; term expires January 1, 1917.

JAY COUNTY.

Jay county was organized by the Legislature, February 6, 1836, and the act became effective the 1st of the following month. Jay county has never had any county seat conflicts since the first year of its existence. At the outset there was considerable rivalry between Camden and Portland, the former being a much more important place at that time. In fact, the locating commissioners looked with favor upon Camden, but it was too far from the center of the county to receive serious consideration. When the locating commissioners met on the first Monday of June, 1836, they selected the site of the present Portland, but it was not until December 5 of the same year that the board of county commissioners gave the new county seat the name of Portland. The county erected a fine log court house in the summer of 1837 for the sum of one hundred twenty-three dollars and twenty-five cents.

The first term of the Circuit court in Jay county was held April 17, 1837, at the house of Henry N. Cuppy, the county treasurer, who lived a short distance south of the present city of Portland. Charles W. Ewing was the President Judge and Enoch Bowden was the only Associate Judge present. James Graves had been elected Associate Judge in August, 1836, but failed to qualify and Obadiah Winters was appointed

to fill the vacancy until a successor was chosen. Thomas Johnson, of Fort Wayne, was the first prosecuting attorney. Jeremiah Smith was the only lawyer present at the first session of the Circuit court with the exception of the Judges and prosecuting attorney.

Charles W. Ewing served as President Judge of the Circuit including Jay county until 1839, when he was succeeded by Morrison Rulon, who had but recently been admitted to the bar. Rulon evidently realized his inability to handle the court and resigned before he had held a session. The Governor appointed David Kilgore to fill the vacancy and by subsequent election Kilgore remained in the office until 1846. Jeremiah Smith took the bench in 1846 and served until the office was abolished by the new Constitution.

There were only four Associate Judges of Jay county during the fifteen years which elapsed from its organization until the office was abolished. Enoch Bowden and Obadiah Winters were the first incumbents, the former retiring in 1843 in favor of Abraham C. Smith, who held until 1850. Bowden was then elected again and was in the office when it was abolished. Winters held the office from 1837 to 1850 and was succeeded by John Current, who was on the bench the remaining two years the office was in existence.

The first term of the Probate court in Jay county was held in the new log court house at Portland on May 14, 1838, before Enoch Bowden and Obadiah Winters, the Associate Judges of the Circuit court. In August, 1839, George C. Whiteman was elected Probate Judge and held the office continuously until it was abolished by the Constitution of 1852.

The first term of the Common Pleas court in Jay county was held by Nathan B. Hawkins on January 17, 1853, Jay county then being united with Randolph in a Common Pleas circuit. Judge Hawkins was elected Judge of the circuit in October, 1852, and died in office October 20, 1853. James Brown of Randolph county, was appointed by the Governor to fill the vacancy and held the office until William A. Peelle was elected in August, 1854. Judge Peelle was succeeded two years later by Jacob M. Haynes, of Jay county. In 1859 the Common Pleas circuit was enlarged to include the counties of Jay, Ran-

dolph, Delaware and Blackford and Judge Haynes was re-elected the same year to preside over the court of the new district. Upon the resignation of Judge Haynes in the fall of 1871 to become Judge of the Thirteenth circuit, John J. Cheney was appointed, the latter serving until the court was abolished in 1873.

ASSOCIATE JUDGES.

- James Graves.....October 10, 1836, to serve seven years from date; resigned, February, 1837.
 Enoch Bowden.....October 10, 1836, to serve seven years from date.
 Obadiah Winters.....April 12, 1837 (special election), to serve seven years from October 10, 1836, vice James Graves, resigned.
 Obadiah Winters.....August 21, 1843, to serve seven years from October 10, 1843.
 Abram C. Smith.....August 22, 1850, to serve seven years from October 10, 1850.
 Enoch Bowden.....August 22, 1850, to serve seven years from October 10, 1850.
 John Current.....August 22, 1850, to serve seven years from October 10, 1850.

PROBATE JUDGES.

- George C. Whiteman...October 26, 1839.
 George C. Whiteman...August 21, 1846.

COMMON PLEAS JUDGES.

- Nathan B. Hawkins....1852; died in office October 19, 1853.
 James BrownAppointed October 24, 1853-October 23, 1854.
 William A. Peele.....1854-56.
 Jacob M. Haynes.....1856-71, resigned.
 John J. Cheney.....Appointed November 22, 1871-73.

DISTRICT PROSECUTING ATTORNEYS.

- William Moorman1852-54.
 John J. Cheney.....1854-56.
 Enos L. Watson.....1856-60.
 T. J. Hosford.....1860-62.
 Enos L. Watson.....1862-64.
 John T. Hawkins.....1864-66.
 Arthur C. Mellett....1866-68.
 Phillip A. B. Kennedy..1868-72.
 William H. Lewis.....1872-73.

PRESIDENT JUDGES.

- Gustavus A. Everts...March 1, 1836-July 5, 1835, never held court in Jay county. Eighth circuit.

- Samuel C. Sample-----Appointed July 5, 1836-December 10, 1836; transferred to the Ninth. Never held court in Jay county.
- Charles W. Ewing-----December 10, 1836-January 28, 1839. The act of January 28, 1839, put Jay in the Eleventh.
- Morrison Rulon -----Appointed January 30, 1839; never qualified.
- David Kilgore -----Appointed March 1, 1839-January 30, 1846.
- Jeremiah Smith -----January 30, 1846-October 12, 1852.

CIRCUIT JUDGES.

- Joseph Anthony -----October 12, 1852-February 9, 1855. The act of February 9, 1855, took Jay out of the Seventh and put it in the Thirteenth with Wayne, Randolph and Blackford.
- Jeremiah Smith -----Appointed February 21, 1855-October 20, 1855.
- Jehu T. Elliott -----October 20, 1855; resigned to take effect January 2, 1865.
- Silas Colgrove -----Appointed January 2, 1865-November 23, 1871.
- Jacob M. Haynes-----November 23, 1871-November 23, 1877. The act of March 6, 1873, put Jay in the Twenty-sixth with Adams and Wells, and transferred Haynes to the Twenty-sixth from the Thirteenth.
- James R. Bobo-----November 23, 1877-November 23, 1889.
- Daniel D. Heller-----November 23, 1889-March 1, 1897. The act of March 1, 1897, made Jay the sole county in the newly created Fifty-eighth, where it has since remained.
- John W. Headington---Appointed March 23, 1897-November 8, 1898.
- John M. Smith-----November 8, 1898-November 8, 1904.
- John F. Lafollette----November 8, 1904-November 17, 1910.
- James J. Moran-----November 17, 1910; resigned in February, 1915, to become Appellate Judge in place of Frank Powers, deceased.
- Jacob F. Denney-----Appointed February 10, 1915; term expires November 17, 1916.

PROSECUTING ATTORNEYS.

- John B. Chapman-----January 19, 1833-August 11, 1834, resigned. Eighth circuit.
- Samuel C. Sample-----Appointed August 11, 1834-July 5, 1836, resigned.
- Joseph L. Jernegan----Appointed July 5, 1836-December 10, 1836; transferred to Ninth.
- Thomas Johnson -----December 10, 1836-December 3, 1838.
- John W. Wright-----December 3, 1838-January 28, 1839. The act of January 28, 1839, put Jay in the Eleventh.
- Jehu T. Elliott-----Appointed February 18, 1839-August 30, 1839, resigned.
- John Brownlee -----Appointed August 20, 1839-December 5, 1839.

- Jeremiah Smith -----December 5, 1839-December 15, 1841.
 John M. Wallace -----December 15, 1841-November 14, 1843. resigned.
 John Davis -----Appointed November 14, 1843-September 7, 1846.
 Joseph S. Buckles-----September 7, 1846-September 7, 1848.
 William Garver -----August 20, 1851-October 12, 1852.
 Silas Colgrove -----October 12, 1852-November 7, 1854. Seventh circuit.
 Elijah B. Martindale--November 7, 1854-October 20, 1855. The act of February 9, 1855, took Jay out of the Seventh and put it in the Thirteenth. This act transferred Martindale from the Seventh to the Thirteenth.
 Thomas M. Browne----October 20, 1855-October 22, 1861.
 James N. Templer----October 22, 1861-November 23, 1867.
 Daniel M. Bradbury----November 23, 1867-October 24, 1870.
 Elisha B. Reynolds----October 24, 1870-October 21, 1872.
 Daniel W. Comstock---October 21, 1872-March 6, 1873. The act of March 6, 1873, put Jay in the Twenty-sixth and transferred Comstock to the Seventeenth and Dailey from the Eighth to the Twenty-sixth.
 Joseph S. Dailey-----March 6, 1873-November 3, 1876.
 Joshua Bishop -----November 3, 1876-December 29, 1876.
 Luther I. Baker-----Appointed December 29, 1876-October 26, 1880.
 John T. France-----October 26, 1880-November 17, 1884.
 Edwin C. Vaughn-----November 17, 1884-March 3, 1885. Transferred to Twenty-eighth by act of March 3, 1885.
 Oscar H. Adair-----Appointed March 9, 1885-November 17, 1888.
 Richard H. Hartford--November 17, 1888-November 17, 1890.
 George T. Whitaker----November 17, 1890-November 17, 1892.
 Richard H. Hartford--November 17, 1892-November 17, 1894.
 F. H. Snyder-----November 17, 1894-November 17, 1896.
 David E. Smith-----November 17, 1896-March 1, 1897. The act of March 1, 1897, made Jay the sole county in the newly created Fifty-eighth, where it has since remained.
 Daniel E. Greiner----Appointed March 23, 1897-January 1, 1901.
 Adelma Dargoo -----January 1, 1901-January 1, 1903.
 Roscoe D. Wheat-----January 1, 1903-January 1, 1907.
 James R. Fleming-----January 1, 1907-January 1, 1911.
 Malcolm V. Skinner----January 1, 1911-January 1, 1915.
 John J. O'Neill-----January 1, 1915; term expires January 1, 1917.

JEFFERSON COUNTY.

Jefferson county was organized by an act of the Territorial Legislature on November 23, 1810, but the act did not become effective until the first of the following February. Prior

to that time the county had been a part of Clark county, the latter being organized on February 3, 1801. The county seat was located at Madison the same year the county was organized and no other town in the county has ever been considered as the seat of justice.

Madison was laid out by John Paul, Jonathan Lyon and Lewis Davis, the plat being recorded on June 12, 1812. The land on which the town stood was bought by Paul from the United States government in 1809 and he at once planned to establish a town on the site. He sold the first lots in February, 1811, immediately after the county was formally organized. Later in the same year he sold part of the town site to Jonathan Lyon and Lewis Davis and the three men became the proprietors of the newly-selected county seat. This partnership was dissolved in 1820, when Lyon and Davis sold their entire interests in the town to Jacob Burnett, of Cincinnati, and J. F. Canby, of Madison.

Jefferson county was under the territorial government of Indiana for six years (1810-16) and during this time all of the local officials were commissioned directly by the Governor of the territory. The names of these territorial officials, together with the dates of their commissions, have been taken from the Executive Journal of Indiana territory, a large ledger which is kept in the secretary of state's office, Indianapolis. This list includes the judges, prosecuting attorneys and justices of the peace and is here given in the order in which they appear on the original record:

TERRITORIAL JUDICIARY.

- December 13, 1810.....Justices of the peace: William Cotton, George Craig, Samuel Smock, Samuel McKinley, Thomas McFarland and Jesse Evans.
- December 14, 1810.....Justices of the peace: Robert M. Trotter, Ralph Cotton and Elisha Golay.
- December 14, 1810.....Prosecuting attorney: James Dill, for the counties of Jefferson and Dearborn.
- December 18, 1810.....Judges of the Court of Common Pleas: William McFarland, first Judge; Samuel Smock, second Judge; William Cotton, third Judge.
- January 21, 1811.....Justices of the peace: William Dunn, John Maxwell, Daniel Robbins and Michael Monroe.

- March 4, 1811-----Justices of the peace: John Cline and William Hall.
- May 22, 1811-----Judge of the Court of Common Pleas: Williamson Dunn, vice William McFarland, resigned.
- July 16, 1811-----Prosecuting attorney: Alexander Meek.
- July 26, 1811-----Justice of the peace: Gerardus Ryker.
- December 16, 1811-----Justices of the peace: Joshua Deputy and Abraham Long.
- November 4, 1812-----Prosecuting attorney: Jesse L. Holman.
- February 2^d, 1813-----Justice of the peace: Samuel Alexander.
- June 9, 1813-----Judge of the Court of Common Pleas: Christopher Harrison.
- August 13, 1813-----Justices of the peace: Dawson Blackmore and James Ward.
- January 6, 1814-----Judges of the Circuit court: Samuel Smock, first Judge; William Cotton, second Judge; Christopher Harrison, third Judge.
- May 24, 1814-----Justice of the peace: Samuel Patterson.
- July 25, 1814-----Justices of the peace: George Shannon and John Francis Dufour.
- July 25, 1814-----Judge of the Circuit court: Williamson Dunn.
- September 15, 1814-----Associate Judge of the Circuit court: Christopher Harrison, first associate; Williamson Dunn, second associate.
- November 14, 1814-----Justices of the peace: Jacob Short and Thomas Taylor.
- December 22, 1814-----Associate Judge of the Circuit court: Nathaniel Hunt, vice Christopher Harrison, resigned.
- May 19, 1815-----Justices of the peace: Christopher Harrison, Joseph Strickland, James Stott, Ekellis Wilhite and John Thom.
- August 11, 1815-----Justice of the peace: John Burns.
- November 18, 1815-----Justices of the peace: Alexander Lewis, James Wooley and Bazil Bently.
- December 16, 1815-----Justice of the peace: Jacob Leer.
- January 23, 1816-----Justice of the peace: John Bradford.
- March 23, 1816-----Justice of the peace: James McCale.
- June 1, 1816-----Justice of the peace: Jacob Rhoads.
- June 22, 1816-----Justices of the peace: Joseph Howard, John H. Bray and M. Hosatt.

The territorial system of courts bore little resemblance to the system established by the Constitution of 1816. The first court in Jefferson county was known as a Common Pleas court. The first entry of this court reads as follows:

"Pleas at the Court House in Madison, Jefferson County,

Indiana Territory—Before the Hon'ble Samuel Smock, William Cotton and Williamson Dunn, Gent Judges of the said County on Tuesday the 22nd day of October 1811."

At this first session a grand jury of eighteen "good and lawful men" was impaneled and took the oath to do their whole duty in apprehending the criminals of the county. These men were as follows: Henry Ristine (foreman), David Cummings, Joseph Lane, Samuel Marquis, Thomas Nicholson, Samuel Maxwell, David H. Maxwell, James Edwards, William Vawter, Moses Baker, Jacob Rhoads, John Rhoads, Isaiah Blankenship, Hugh McKay, Joseph Strickland, Charles Easton, Squire Hall, Joshua Jackson and John Chambers.

The first case tried in Jefferson county concerned one James Johnston, who was charged with an assault upon Isaac Jones "in the peace of God and of the United States." The indictment declared that he "did beat, wound & ill treat the said Jones so that his life was greatly dispaired of and that he did other wrongs to the said Isaac Jones then and there to the great damage of him." A jury composed of Samuel Lattimore, Jesse Gray, John Barns, Samuel Marquis, William Harcourt, Joshua Wilkinson, Colby Underwood, Henry Joseph, William Hughes, Dawson Blackmore, Samuel Tomlinson and James Vawter found "the defendant guilty in manner and form as in the indictment against him alleged." The defendant was ordered to pay a fine of three dollars and the costs of the prosecution.

The first act of the Territorial Legislature concerning the division of the territory into judicial circuits was passed December 31, 1813, but this act was in conflict with the federal statutes and was set aside by the act of August 30, 1814. This second act divided the ten counties of the territory into three judicial circuits, placing Jefferson county in the Second circuit with Washington, Harrison and Clark counties. Jesse L. Holman was appointed the President Judge of this circuit on September 14, 1814, and served in this capacity until the state was admitted to the Union in 1816.

The first Circuit court (provision for which had been made by the act of August 30, 1814) convened at Madison on No-

vember 7, 1814. The Judges of this court consisted of Jesse L. Holman, the President Judge of the circuit, and Christopher Harrison and Williamson Dunn, the Associate Judges of the county. The complete list of Associate Judges who served during the territorial period has been previously given. It should be mentioned in this connection that the Judges of the Circuit court not only handled all the civil, criminal, probate and juvenile business of the county, but also transacted all of the business now performed by county commissioners. When in the latter capacity they formed what was called a County court. With the adoption of the Constitution of 1816 an entirely new system of court procedure went into operation.

From 1816 to 1852 the President Judges of Indiana were elected by the Legislature for a period of seven years. Each county elected two Judges, known as Associate Judges, who likewise served seven years, as did the clerk of the court. During this period Jefferson county was united in different circuits with various contiguous counties. The first circuit to which Jefferson was attached under the new Constitution was created by the act of December 24, 1816. This act placed Jefferson in the Third circuit with Dearborn, Franklin, Wayne, Switzerland and Jennings counties. The act of January 28, 1818, created the Second circuit, composed of Jefferson, Harrison, Orange, Washington, Jackson, Clark and Crawford. The next change was made by the act of December 31, 1821. This act constituted the Second circuit with Jefferson, Clark, Floyd, Harrison, Washington, Jackson and Scott. Three years later (January 14, 1824) the Second circuit was enlarged to include Jefferson, Clark, Floyd, Harrison, Washington, Jackson, Scott, Jennings, Monroe and Lawrence counties. As the population increased in these several counties it was found necessary to decrease the circuit and the act of January 20, 1830, placed Jefferson in the Third circuit with Franklin, Dearborn, Ripley, Decatur, Switzerland and Jennings. The act of February 10, 1831, made no change in the circuit, and the successive acts of February 17, 1838, and February 28, 1839, left the circuit as it was established in 1831. The last change in the circuit was made with the act of

January 15, 1847. This act put Jefferson county into the Third circuit with Switzerland, Ohio, Jennings and Bartholomew.

The probate business of the various counties of the state was in the hands of the Circuit court from 1816 to 1818, when the Legislature provided for the establishment of a special Probate court in each county in the state. However, the act did not provide for a special Probate Judge, but placed the Associate Judges of the Circuit court in charge of the newly created Probate court. The Associate Judges continued to administer all probate matters until 1829. On January 23 of that year the Legislature passed an act providing for an elective Probate Judge in each county in the state and William Smith became the first Judge in Jefferson county. He held the first court under the new act on September 7, 1829, serving as an appointee until the first regular election in 1830. There were only four Probate Judges elected in Jefferson county up until 1852 when the Legislature abolished the court and turned its business over to the Common Pleas court. The Judges follow: William Smith, 1829-30; Joseph G. Marshall, 1830-34; Jesse D. Bright, 1834-39; William Hendricks, Jr., 1839-57; Williamson Dunn, 1847-52. From 1852 to 1873 the probate business of the county was in charge of the Common Pleas court, but when the latter court was abolished in that year the Circuit court was given jurisdiction over all probate matters. Each county now carries a separate record for probate business.

Jefferson county was one of three counties to establish a Common Pleas court before 1852. The Legislature passed an act on February 13, 1851, establishing such a court in Jefferson county, the act providing that the mayor of Madison, the county seat, should act as Judge of the court until a Judge was regularly elected and qualified. However, it appears certain that the court was never really organized for business. Milton Stapp was mayor of Madison at this time and a search of the city records fails to reveal any proceedings of such a court. A. D. Vanosdol, the oldest attorney at the local bar, carefully examined the records of the mayor's office

from April, 1850, to April, 1853, the period of Stapp's incumbency, and was unable to find any record of the mayor holding a session of the Common Pleas court. It is evident that the knowledge that the Constitutional Convention was considering a complete revision of the judiciary of the state was responsible for the nonestablishment of the Common Pleas court in Jefferson county pursuant to the act of February 15, 1851. The first session of the Common Pleas court in the county under the 1852 Constitution was held in January, 1853, with Charles E. Walker as Judge.

A Criminal court was established in Jefferson county by the legislative act of May 13, 1868, but it was soon evident that there was not enough business in the county to justify a continuance of the court. Accordingly it was abolished by the act of February 16, 1871, the act becoming effective despite the pocket veto of the Governor. Upon the creation of this court in Jefferson county the Governor appointed Jeremiah Sullivan (May 18, 1868) to serve until the first regular election. The first session of the Jefferson Criminal court was held on July 5, 1868, and on the same day the court appointed John W. Linck as prosecutor. Judge Sullivan died in December, 1870, and the Governor immediately appointed John R. Cravens to fill his unexpired term. Judge Cravens was commissioned December 23, 1870, and held his first session of court on the last day of the same year. Judge Cravens continued on the bench until the court was abolished in 1871, the last record of the court being dated March 2, 1871. Since that time all criminal matters have been handled by the Circuit court.

The legislative act of June 17, 1852, divided the whole state into ten judicial circuits, placing Jefferson in the First, with Ripley, Jennings, Switzerland, Ohio, Brown and Bartholomew. The next act affecting the First circuit was passed February 25, 1869, at which time Ohio county was taken out of the circuit and united with Union, Franklin and Dearborn to form the Twenty-sixth circuit. The Act of March 6, 1873, placed Jefferson and Scott together in the Fifth circuit. Six years later (March 7, 1879) Jefferson was placed with Switzerland in the Fifth circuit.

On February 4, 1891, Jefferson was made the sole county in the Fifth circuit, Dearborn, Ohio and Switzerland being constituted the Seventh. The succeeding Legislature (March 4, 1893) passed an act uniting Jefferson county with Clark in the Fourth circuit, but this act was never carried into effect. At that time both the Judge (W. T. Friedley) and Prosecutor (A. D. Vanosdol) of the Fifth circuit lived in Jefferson county and the Judge contended that the Legislature did not have the right to redistrict the county in such a way that they could not serve out the term for which they were elected. Accordingly the Judge of Jefferson county, William T. Friedley, proceeded to act on the theory that he was still the Judge, at least in Jefferson county. At this juncture the Judge of the Clark Circuit court (G. H. D. Gibson) instituted quo warranto proceedings against Judge Friedley in an effort to dispossess him of his seat. A special Judge, S. E. Leland, tried the case and decided that the act attaching Jefferson to Clark county was unconstitutional. The decision was appealed to the Supreme court and that body upheld the decision of the lower court. Consequently, Jefferson remained the sole county in the Fifth circuit. As soon as the term for which Judge Friedley was elected expired the Legislature (February 24, 1897) attached Switzerland county to Jefferson and these two counties have constituted the Fifth circuit since that date.

All of the Judges of the circuit to which Jefferson county has been attached since 1852 with the exception of Downey, Berkshire and Griffith, were elected from Jefferson county. Downey was elected from Ohio county, Berkshire, from Jennings, and Griffith from Switzerland county.

ASSOCIATE JUDGES.

Daniel Scelves	February 24, 1817.
John Pitcher	February 24, 1817.
David Hillis	Resigned, July, 1820.
Thomas Douglas	September 11, 1820; resigned, June, 1822.
Joseph Strickland	September 11, 1820, vice David Hillis, resigned.
David Hillis	July 5, 1822, vice Thomas Douglas, resigned.
Dawson Blackmore	September 1, 1823; resigned, June, 1828.
Gamaliel Taylor	September 1, 1823; resigned, June, 1828.

Orson E. Hough.....	August 14, 1828 (special election), vice Gamaliel Taylor, resigned.
Elmer Gale	September 8, 1830, to serve seven years from February 24, 1831.
Dawson Blackmore ---	September 8, 1830, to serve seven years from February 24, 1831, resigned, April, 1836.
David Cummins	June 13, 1836 (special election), vice Dawson Blackmore (resigned), to serve seven years from February 24, 1831.
William Taylor	August 22, 1837, to serve seven years from February 24, 1838.
Elmer Gale	August 22, 1837, to serve seven years from February 24, 1838.
Robert Kinnear	August 10, 1844, to serve seven years from February 24, 1845.
William M. Taylor ..	August 10, 1844, to serve seven years from February 24, 1845.

PROBATE JUDGES.

William Smith	August 8, 1829.
Joseph G. Marshall....	May 5, 1830, appointed vice William Smith, resigned.
Joseph G. Marshall....	September, 1830, to serve seven years from February 24, 1831.
Jesse D. Bright.....	August 9, 1834, vice Joseph G. Marshall (resigned), to serve seven years from date.
William Hendricks, Jr..	March 26, 1839.
William Hendricks, Jr..	August 10, 1839.
Williamson Dunn	August 31, 1846, to serve seven years from December 29, 1846.

COMMON PLEAS JUDGES.

Charles E. Walker.....	1852-60.
Francis Adkinson	1860-64.
Robert N. Lamb.....	1864-68.
Scott Carter	1868-73.

DISTRICT PROSECUTING ATTORNEYS.

James Y. Allison.....	1852-54.
James C. Thom.....	1854-59.
William S. Schroyer....	1859-60.
John Barber	1860-62.
Solon Russell	1862-64.
William D. Wilson....	1864-66.
Albert B. Goden.....	1866-67.
William P. Adkinson..	Appointed December 7, 1867-68.
Hugh D. McMullen....	1868-70.
Isaac M. Dunn.....	1870-73.

PRESIDENT JUDGES.

- John Test ----- December 18, 1816-January 28, 1818. The act of January 28, 1818, took Jefferson out of the Third and put it in the Second.
- Davis Floyd ----- January 28, 1818-December 18, 1823.
- John F. Ross ----- December 18, 1823-January 20, 1830. The act of January 20, 1830, put Jefferson in the Third.
- Miles C. Eggleston ---- January 20, 1830-December 20, 1844.
- Courtland Cushing --- December 20, 1844; resigned, August 9, 1850.
- Alexander C. Downey --- Appointed August 9, 1850-October 12, 1852.

CIRCUIT JUDGES.

- Alexander C. Downey --- October 12, 1852; resigned August 1, 1858. First circuit.
- John W. Spencer ----- Appointed August 9, 1858-October 26, 1858.
- Joseph W. Chapman --- October 26, 1858-October 26, 1864.
- John G. Berkshire ---- October 26, 1864-March 6, 1873. The act of March 6, 1873, put Jefferson in the Fifth.
- John R. Cravens ----- Appointed March 13, 1873-October 22, 1873.
- James Y. Allison ----- October 22, 1873-November 14, 1884.
- William T. Friedley --- November 14, 1884-October 22, 1897. The act of February 24, 1897, constituted Jefferson and Switzerland the only counties in the Fifth, where they have since remained.
- Perry E. Bear ----- October 22, 1897-October 22, 1903.
- Hiram Francisco ---- October 22, 1903-October 22, 1915.
- Francis M. Griffith ---- October 22, 1915; term expires October 22, 1921.

PROSECUTING ATTORNEYS.

- John Kingsbury ----- August 9, 1824-August 24, 1826. Second circuit.
- Milton Stapp ----- August 14, 1826-December 30, 1826.
- John Kingsbury ----- December 30, 1826-December 30, 1828.
- John H. Thompson ---- December 30, 1828-January 20, 1830. The act of January 20, 1830, put Jefferson in the Third.
- James F. D. Lanier --- January 25, 1830-January 25, 1832.
- John M. Johnson ----- January 25, 1832-February 21, 1833, resigned.
- John Test ----- Appointed February 21, 1833-December 5, 1833.
- Courtland Cushing --- December 5, 1833-December 11, 1837.
- John Dumont ----- December 11, 1837-December 15, 1841.
- George Robinson ---- December 15, 1841-May 18, 1842, died.
- John Dumont ----- Appointed May 18, 1842-December 15, 1848.
- James Y. Allison ----- August 16, 1851-October 12, 1852.
- Robert P. Moore ----- October 12, 1852-November 7, 1854. First circuit.
- Daniel Kelso ----- November 7, 1854-November 7, 1856.
- Francis Adkinson ---- November 7, 1856-November 7, 1858.
- George W. Richardson --- November 7, 1858-November 7, 1862.
- James M. Myers ----- November 7, 1862; resigned, June 16, 1864.
- Benjamin F. Lewis --- Appointed June 16, 1864-November 1, 1865.

John A. Miller.....	November 1, 1865-November 3, 1868.
John Denton	November 3, 1868-November 3, 1872.
John O. Cravens.....	November 3, 1872-March 6, 1873. The act of March 6, 1873, put Jefferson in the Fifth.
Charles L. Jewett.....	Appointed March 25, 1873-October 22, 1877.
John F. Bellamy.....	October 22, 1877-October 22, 1881.
Eugene G. Hay.....	October 22, 1881-October 22, 1885.
Marcus R. Sulzer.....	October 22, 1885-October 22, 1889.
Perry E. Bear.....	October 22, 1889-October 22, 1893.
Argus D. Vanosdol.....	October 22, 1893-October 22, 1897. The act of February 24, 1897, constituted Jefferson and Switzerland the only counties in the Fifth, where they have since remained.
Clarence J. Roberts...	October 22, 1897-October 22, 1899.
Simon F. Leland.....	October 22, 1899-January 1, 1902.
Leonard E. Smith.....	January 1, 1902-January 1, 1904.
James R. E. Pheasant...	January 1, 1904-January 1, 1906.
Emerson Lemen	January 1, 1906-January 1, 1910.
James S. Wright.....	January 1, 1910-January 1, 1912.
Curtis Marshall	January 1, 1912-January 1, 1916.
Wallace J. Cotton.....	January 1, 1916; term expires January 1, 1918.

JENNINGS COUNTY.

Jennings county was organized by the Legislature on December 27, 1816, and the act became effective on the first of the following February. The act organizing the county, appointed commissioners to select the location for the seat of justice, and when the commissioners met in March to select a site, two places were considered. One was about a half mile southwest of the present town of Vernon and, when it came to a vote three of the commissioners declared in favor of this site. The present site, however, was finally selected and largely because of the influence of John Vawter, its first settler. On the first day of April, 1817, Vawter and David McClure made a proposition to the locating commissioners which resulted in the selection of Vernon. They proposed to give the county a sufficient tract of land for the public buildings and also a considerable tract which could be sold, but stipulated that the proceeds of the land for sale should be devoted exclusively to the erection of county buildings. In addition to this generous gift, Vawter and McClure gave two acres for burial purposes and three lots of one acre each for churches

or school houses. Another strange proposition in their offer was their proposal that the eastern part of the town as then laid out should be forever open and common to the citizens of the town and county. As a final and, to the commissioners, a very convincing argument for the selection of their site, they offered to obligate themselves to pay four hundred dollars in cash, twelve months after date. Undoubtedly, it was this latter proposal which carried the day. Here the county seat has always remained, although within the last few years, North Vernon, a town a mile and a half to the north, has made strenuous efforts to secure the county seat. The Legislature passed an act on March 15, 1913, which provided for an election to determine whether the county seat should be moved from Vernon to North Vernon. The change was to be made if sixty per cent of the voters were in favor of the proposed resolution. The election was held on September 22, 1913, and Vernon retained the county seat by the slender majority of twenty, the vote standing two thousand two hundred and seventeen for relocation and one thousand five hundred twelve against it.

The first Circuit court in Jennings county convened at Vernon on July 7, 1817, with William Prather and Chapman Denslow, Associate Justices, on the bench. This court met in an old log school house and it continued to meet there until a brick court house was erected in the following year. The Associate Judges from the time the county was organized until the new Constitution went into effect in 1852 were as follows:

ASSOCIATE JUDGES.

William Prather	February 24, 1817.
Chapman Denslow	February 24, 1817; resigned, 1819.
Jonathan Barrett	May 27, 1819, vice Chapman Denslow, resigned.
Chapman Denslow	August 20, 1823; resigned, June 29.
John Winchell	August 20, 1823. Removed from county, June, 1825.
Joseph Cowell	August 25, 1825 (special election), vice John Winchell, removed.
Ransom Perry	August 22, 1829 (special election), to serve seven years from August 20, 1823, vice Chapman Denslow, resigned.

Samuel Finnacle	September 8, 1830, to serve seven years from February 24, 1831; resigned, July, 1834.
Ezra F. Pabody.....	September 8, 1830, to serve seven years from February 24, 1831; resigned, June, 1834.
Richard Stott	August 23, 1834, to serve seven years from February 24, 1831, vice Samuel Finnacle, resigned.
Daniel M. Hill.....	August 8, 1835, to serve seven years from February 24, 1831, vice Ezra F. Peabody, resigned.
Robert Elliott	August 12, 1837, to serve seven years from February 24, 1838.
John T. Johnson.....	August 12, 1837, to serve seven years from February 24, 1838. Removed from county, September, 1843.
Jesse Whitcomb	December 18, 1843, to serve seven years from February 24, 1838, vice John T. Johnson.
Jesse Whitcomb	August 17, 1844, to serve seven years from February 24, 1845.
Samuel Read	August 17, 1844, to serve seven years from February 24, 1845.
Riley Foster	August 18, 1851, to serve seven years from February 24, 1852.
Phannel Davis	August 18, 1851, to serve seven years from February 24, 1852.

PROBATE JUDGES.

Chapman Denslow	August 22, 1829; died, August, 1834.
Alanson Andrews	September 3, 1834, appointed vice Chapman Denslow (deceased), to serve until the first Monday in August, 1835.
Achilles Vawter	August 8, 1835.
Ezra F. Pabody.....	August 12, 1842.
Ezra Pabody.....	August 25, 1849.

COMMON PLEAS JUDGES.

Ezra Pabody.....	1852-56.
Jeremiah Bundy	1856-60.
Ralph Applewhite	1860; resigned, April 28, 1862.
Simon Stansifer	Appointed April 28, 1862-November 1, 1862.
Beattie McClellan	1862-64.
Jeptha D. New.....	1864-68.
Frank Emerson	1868-73.

DISTRICT PROSECUTING ATTORNEYS.

Jeremiah Bundy	1852-56.
Alex W. Lattimore.....	1856-58.
Solon Russell	1858-59.
James H. Myers.....	Appointed January 20, 1859, resigned.
Solon Russell	Appointed March 16, 1859-60.

Lycurgus Irwin	-----1860-62, resigned.
Jeremiah Bundy	-----Appointed January 17, 1862.
Jeptha D. New	-----1862-64.
William L. Bane	-----1864-65, resigned.
John M. Kerr	-----1865-66.
Marion Mooney	-----1865-66.
Newton Croake	-----1866-70.
Wilson S. Swengel	-----1870-72.
George W. Cooper	-----1872-73.

PRESIDENT JUDGES.

John Test	-----February 1, 1817-January 2, 1819. Third circuit.
Alexander A. Meek	-----January 2, 1819-February 2, 1819, resigned.
John Watts	-----Appointed February 2, 1819-January 20, 1821.
Miles C. Eggleston	-----January 20, 1821-December 31, 1821. The act of December 31, 1821, put Jennings in the Fifth.
William W. Wick	-----Appointed February 7, 1822-January 14, 1824. The act of January 14, 1824, put Jennings in the Second.
John F. Ross	-----January 14, 1824-January 20, 1830. The act of January 20, 1830, put Jennings in the Third.
Miles C. Eggleston	-----January 20, 1830-December 20, 1844.
Courtland Cushing	----December 20, 1844; resigned, August 9, 1850.
Alexander C. Downey	--Appointed August 9, 1850-October 12, 1852.

CIRCUIT JUDGES.

Alexander C. Downey	--October 12, 1852; resigned, August 1, 1858. First circuit.
John W. Spencer	-----Appointed August 9, 1858-October 26, 1858.
Joseph W. Chapman	-----October 26, 1858-October 26, 1864.
John G. Berkshire	-----October 26, 1864-November 20, 1882. The act of March 6, 1873, put Jennings in the Sixth.
Jeptha D. New	-----November 20, 1882-November 20, 1888.
Thomas C. Batchelor	--November 20, 1888-November 20, 1894.
Willard New	-----November 20, 1894-November 20, 1906.
Francis M. Thompson	--November 20, 1906-November 20, 1912. The act of March 4, 1911, put Jennings in the Sixth with Ripley and Scott, where they have since remained.
Robert A. Creigmile	-----November 20, 1912; term expires November 20, 1918.

PROSECUTING ATTORNEYS.

John Kingsbury	-----August 9, 1824-August 14, 1826.
Milton Stapp	-----August 14, 1826-December 30, 1826.
John Kingsbury	-----December 30, 1826-December 30, 1828.
John H. Thompson	-----December 30, 1828-January 20, 1830. The act of January 20, 1830, put Jennings in the Third.
James F. D. Lanier	-----January 25, 1830-January 25, 1832.

- John M. Johnson-----January 25, 1832-February 21, 1833, resigned.
 John Test -----Appointed February 21, 1833-December 5, 1833.
 Courtland Cushing ----December 5, 1833-December 11, 1837.
 John Dumont -----December 11, 1837-December 15, 1841.
 George Robinson -----December 15, 1841-May 18, 1842; died.
 John Dumont -----Appointed May 18, 1842-December 15, 1848.
 James Y. Allison -----August 16, 1851-October 12, 1852.
 Robert P. Moore-----October 12, 1852-November 7, 1854, resigned. First
 circuit.
 Daniel Kelso -----November 7, 1854-November 7, 1856.
 Francis Adkinson ----November 7, 1856-November 7, 1858.
 George W. Richardson-November 7, 1858-November 7, 1862.
 James M. Myers-----November 7, 1862-June 16, 1864, resigned.
 Benjamin F. Lewis----Appointed June 16, 1864-November 1, 1865.
 John A. Miller-----November 1, 1865-November 3, 1868.
 John Denton -----November 3, 1868-November 3, 1872.
 John O. Cravens-----November 3, 1872-November 3, 1878. The act of
 March 6, 1873, put Jennings in the Sixth. This
 act transferred Cravens to the Sixth from the
 First.
 William G. Holland----November 3, 1878-November 15, 1884.
 Lincoln Dixon -----November 15, 1884-November 15, 1892.
 Joseph H. Shea-----November 15, 1892-November 15, 1894.
 F. M. Thompson-----November 15, 1894-November 15, 1896.
 Marcus R. Connelley---November 15, 1896-January 1, 1901.
 Samuel B. Wells-----January 1, 1901-January 1, 1905.
 Louis A. Lee-----January 1, 1905-January 1, 1907.
 John W. Davis-----January 1, 1907-January 1, 1909.
 Joseph W. Verbarg----January 1, 1909; term expires January 1, 1917.
 The act of March 4, 1911, put Jennings in the
 Sixth with Ripley and Scott, where they have
 since remained.

JOHNSON COUNTY.

Johnson county was created by an act of the Legislature, approved by Governor William Hendricks, December 21, 1882. Oliver H. Smith, who at that time was a member of the Legislature, proposed the name of the county in memory of John Johnson, one of the Judges of the first Supreme court of the state. There was no opposition to the selection of the present town of Franklin for the county seat. Although the date of the contract for the erection of a new court house is uncertain, it was completed and ready for occupancy in March, 1824. No court, however, was held in the court house until

March, 1825, one term having, in the meantime, been held at the house of John Smiley, near "Smiley's Mill," October 23, 1823, and one term at the house of George King in Franklin, in March, 1824. After 1825, the court met regularly at the court house on the third Monday of March and September and lasted six days if the business demanded.

In 1830 a new court house was ordered built. The building cost about two thousand dollars and was considered a fine structure at that time. In August, 1848, a committee was named to procure plans and specifications for a new court house. The second court house was destroyed by fire on May 18, 1849, and immediately thereafter a new building was erected. On December 12, 1874, fire again destroyed the Johnson county court house, but in neither fire were any of the records destroyed. The next court house was a temporary frame structure, built on the lot where the present city building stands. The work of building the fifth court house occupied a little more than two years, being completed in the latter part of 1881.

William W. Wick, the first President Judge of the Johnson Circuit court, was a resident of Indianapolis. He came to Johnson county in the fall of 1823, and held the first court on October 16, at the cabin of John Smiley on Sugar creek. Smiley's cabin was a two-room log house, in one of which Judge Wick held court and in the other of which the grand jury met. Mrs. Smiley lay sick in the jury room and the story has been handed down that when Daniel B. Wick, prosecuting attorney and brother of the Judge, came into the room he pulled a bottle of whiskey from his pocket, first gallantly offering it to a sick woman and then to the jurors. The sick woman always thereafter asserted that she alone refused the treat.

Gregg and Wilson appeared as the first counsel at the bar of the Johnson Circuit court. Two years later, Gregg served as Circuit Prosecutor. Gregg was a Kentuckian by birth and had studied for the ministry under Rev. Archibald Cameron. He was able to caricature the most dignified address of the Scotch Covenanters, the unlettered sermonizing of the backwoods Baptists and the vehement appeal of the Methodists.

Judge Wick resigned January 13, 1825, to accept the office of Secretary of State for a term of four years. He returned to Johnson county, however, at the March, 1825, term of court as counsel in a chancery case. Later he returned to the circuit as Prosecuting Attorney and in 1834 was again elected to the bench of the Fifth judicial circuit. In 1835 he had changed his politics, becoming a Jackson Democrat, and on retiring from the judicial office in 1839 was elected to Congress on the Democratic ticket. He was a member of Congress for several terms and served as postmaster of Indianapolis under the administration of Franklin Pierce. In 1849 he was again appointed Judge of the Fifth circuit and served until the new constitution went into operation. He was the first Judge of the Johnson County circuit under the new constitution and served until January 12, 1854. In 1859 he also occupied the bench of the circuit for a few months by appointment.

When Judge Wick resigned in 1825 Governor William Hendricks appointed Bethuel F. Morris, of Indianapolis, as his successor. Judge Morris began his service on the bench of Johnson county at the March, 1825, term of court and continued until September, 1834. A few months before his term expired, he resigned to accept an office in the state bank. Judge Wick returned to the bench of the Fifth judicial circuit in 1834 and served continuously until 1839.

Among the circuit-riding lawyers of this period, whose names appear frequently in the records of the Circuit court of Johnson county, are those of Judge Morris, Harvey, Gregg, Philip Sweetzer, Calvin Fletcher, W. W. Wick, James Whitcomb, William Herod and Hiram Brown. Gregg served as Circuit Prosecutor in 1825, Fletcher in 1826, Whitcomb in 1827 and 1828, and Wick in 1829 and 1830. Philip Sweetzer, who was employed in most of the civil cases, was a native of Massachusetts and a graduate of Harvard College, where he was a classmate of Rufus Choate. He was a member of the Episcopal church and a Whig in politics. Hiram Brown, who was a man of great native ability, was one of the leading lawyers of central Indiana. He was especially capable as an advocate. To the lawyers already mentioned, who prac-

ticed before the Johnson county bar, may be added the names of James B. Ray, John Eccles, William Quarles, William Brown, John Livingston, John H. Scott, Humphrey Robinson, Thomas D. Walpole, William Sweetzer, Christian C. Nave and William J. Peaslee. Of these, Ray later served as President of the Indiana State Senate and was Governor of Indiana from 1825 to 1831. Peaslee afterward became Judge of the Fifth circuit. Up to 1830 not a lawyer had permanently located in Johnson county. In March, 1823, Fabius M. Finch was admitted to practice law at the Johnson county bar and to him belongs the honor of being the first to be admitted.

Judge William W. Wick was succeeded in office by Judge James Morrison, who began his duties as President Judge of the Johnson Circuit court in September, 1839. Judge Morrison was a native of Scotland, and after his retirement from the bench resumed the practice of law. In 1855 he was chosen Attorney-General of Indiana and afterward was President of the Indiana State Bank.

William J. Peaslee assumed his duties as Presiding Judge of the Fifth circuit in the Johnson Circuit court on January 12, 1843, and served seven years. Judge Peaslee was a resident of Shelbyville, a native of Vermont, and the son of a Quaker minister. He represented Shelby county in the Legislature of 1837. In 1839 and 1840 he was Circuit Prosecutor. After retiring from the bench, he lived at Shelbyville for a time and then moved to Chicago. In 1863 he moved to Davis county, Missouri, where he died in 1866.

In March, 1850, Judge Wick again took his place on the bench of the Johnson Circuit court. He served until January, 1854, when he was succeeded by Stephen Major, who resigned in 1859, after which Wick was appointed by Governor Willard to serve until a successor was elected and qualified.

Fabius M. Finch was elected Judge in 1859 and held the office for a term of six years. He was a native of Livingston county, New York. The family lived for a time at Connersville, later at Muncie and still later at Noblesville. Judge William W. Wick was a guest of the Finch family shortly after his election to the bench in 1822. He fell in love with

and married Fabius Finch's sister, and in 1828 took Fabius to his office in Indianapolis. Judge Finch came to Franklin in 1831 and was admitted to the bar in March, 1832. When Finch came to Franklin, Samuel Herriott, who was Clerk of the Circuit court, kept his office in a little room in the rear of his storeroom. Discovering that Finch wrote a good hand, he employed him as a deputy. Judge Finch also assisted the county recorder and found profitable employment during this early period. Later Finch acted as deputy to the school commissioner. Eventually, he came to be known as one of the best lawyers in the circuit. In 1839 he was elected to the State Legislature. Near the close of his term of office as Judge, he moved to Indianapolis and formed a partnership with his son, John A. Finch, and the latter became an insurance lawyer and gained a national reputation. Judge Finch lived until 1900 and his remains now rest in the family tomb at Greenlawn cemetery in Franklin.

Gen. John Coburn, who succeeded Judge Finch in 1865, presided over the Johnson Circuit court for only one year when he resigned to accept nomination for Congress. On his retirement from Congress in 1875, General Coburn resided in Indianapolis for a time and then served as a member of the Supreme court of the territory of Montana. John T. Dye was appointed to fill the unexpired term of Judge Coburn.

In October, 1866, Cyrus C. Hines was elected Judge of the circuit comprising Marion, Hendricks and Johnson counties. He continued to serve until 1869, when the judicial district boundaries were changed and Andrew L. Robinson was appointed (May 18, 1869) by Governor Conrad Baker as Judge of the new Twenty-eighth judicial circuit, composed of Shelby, Bartholomew, Brown and Johnson counties. Samuel P. Oyler followed Robinson and served from August, 1869, to August, 1870.

Judge Oyler, a native of Sussex county, England, had come to Indiana from New York state in 1841. In 1850 he settled in Franklin and took up the practice of law. He organized the first company of volunteers in Johnson county at the breaking out of the Civil War and was chosen as captain. He was at once promoted to major and when the three months'

campaign in Virginia ended, he returned to Franklin and resumed the practice of law. In 1862 he again entered the army as captain of a company in the Seventy-ninth Indiana Volunteer Infantry and was soon promoted to the rank of a lieutenant-colonel. After his return from the army in 1864, he was elected to the Indiana State Senate and served until 1869. Later he served as mayor of the city of Franklin. From the close of the war until 1874, he was the senior member of the firm of Oyler & Howe, the latter being his stepson, Daniel Wait Howe, later a Judge of the Superior court of Marion county. On March 1, 1881, William A. Johnson became associated with Colonel Oyler under the firm name of Oyler & Johnson. The relationship continued until Johnson was elected to the bench on January 2, 1893. Colonel Oyler died in Franklin, September 6, 1898.

David D. Banta was elected to the bench of the Twenty-eighth judicial circuit in 1870, then composed of Johnson, Shelby, Bartholomew and Brown counties. The act of March 6, 1873, created the Sixteenth judicial circuit of Johnson and Shelby counties. Judge Banta, who was the first native-born son to fill that high office, served a full term of six years. He was a professor at law at the State University from 1889 until his death. K. M. Hord, of Shelbyville, succeeded Judge Banta in 1876. After serving two terms, he was succeeded by Leonard J. Hackney in 1888, who resigned in 1893 to become a member of the Supreme court of the state. William A. Johnson, of Franklin, was appointed to fill the vacancy and served a part of 1893 and 1894, being succeeded by Judge William J. Buckingham, of Franklin, on November 17, 1894. Judge Buckingham served from 1894 to 1906, when William Edward Deupree came upon the bench. In the meantime, the Legislature of 1899 had joined Johnson and Brown counties into the Eighth judicial district. Judge Deupree's second term will expire November 13, 1918.

In 1852 Common Pleas courts were created in Indiana and these courts lasted until abolished by the act of March 6, 1873. In October, 1852, Franklin Hardin was elected the first Judge of the Johnson Court of Common Pleas. Judge Hardin was a native of Kentucky and had come with his moth-

er to Indiana at the age of fifteen. He had served as county surveyor under appointment from Judge Wick and in 1842, 1843 and 1844, was a member of the lower house of the General Assembly. In 1845 he was elected a member of the State Senate and was also a delegate from Johnson county to the Constitutional Convention. Judge Hardin was a delegate to the national convention which nominated Buchanan to the presidency.

George A. Buskirk, of Monroe county, succeeded Judge Hardin and, in 1864, he was succeeded by Oliver J. Glessner, of Morgan county, who later moved to Shelby county. In 1868, Thomas W. Woollen was elected but he resigned in the fall of 1870 and was succeeded by Richard L. Coffey, of Brown county, who served until the court was abolished.

After Fabius M. Finch, the next lawyer to locate in Franklin was Gilderoy Hicks, who came in 1833. He was a native of Rutland, Vermont. He became interested in real estate and assisted in platting several divisions of the city of Franklin. In 1846 he was elected a member of the State Legislature on the Whig ticket. In 1848 and 1849, he represented Johnson county as a Democrat and in 1851 was elected a State Senator. He joined the Know-Nothing party at its organization and later became a Republican. He died on December 23, 1857.

John Slater, a Canadian by birth, came to Johnson county in 1840. He enlisted as a private in the Mexican War under the captaincy of David Allen. Captain Allen died in 1847 and Slater was made captain of the company. After the war, he returned to Franklin and practiced law in partnership with Fabius M. Finch, in whose office he had studied. In the community where he lived, he was known as an indolent man, who never burdened himself with the labor of hunting for authorities. He trusted to luck in the trial of his cases and was more or less of a loafer all his life. In 1856 he was elected to the State Senate and after the close of his term left the state and never returned.

Gabriel Monroe Overstreet and Anderson Barnes Hunter, whose firm name of Overstreet & Hunter was a household word in Johnson county for nearly a half century, were two

of the most prominent lawyers in the history of the county. Overstreet was a native of Kentucky, who, for a time was a student at the Manual Labor Institute of Franklin and later at the State University. He graduated from the State University in 1844 and during the next year studied law in the office of Gilderoy Hicks. In 1848 Overstreet was elected Prosecuting Attorney and on February 21, 1849, the firm of Overstreet & Hunter was formed. This relationship continued until the death of Hunter in 1891. Hunter was a native of Oldham county, Kentucky, who had come to Johnson county in 1840 with his father. In November, 1847, Hunter entered the senior class of the law department of the State University. He was admitted to the bar on March 7, 1848. Hunter died on August 14, 1891, and, after his death, Overstreet became associated with his son, Jesse Overstreet, until the latter's election to Congress. The firm of Overstreet & Oliver was then formed. After Oliver's death in 1900 Overstreet retired from active practice. He died on February 8, 1907.

After Overstreet & Hunter, the next lawyers to seek admission to the bar were Duane Hicks and Jonathan H. Williams, both of whom were admitted to the bar at the September term, 1848. The former was a son of Gilderoy Hicks, and was educated at Franklin College. He was a soldier in the Civil War and died on September 28, 1863, at the age of thirty-five. Jonathan H. Williams, a soldier in the Mexican War, was county auditor from 1851 to 1855. He published the *Franklin Examiner* in 1852, and for two years was District Attorney of the Common Pleas court. He was killed October 19, 1864, at Cedar Creek, Virginia, while a major of the Eighteenth Regiment in the Indiana Volunteer Infantry. Richard M. Kelly, of Edinburg, admitted to the practice in 1856, was a private in the Mexican War and a captain in the Civil War. He was a lawyer of considerable ability, but became dissipated and lost his standing as a lawyer.

In 1856 Jephtha D. New became a partner at Franklin of Judge Woollen, but he soon returned to Vernon, where he became prominent in the law and politics. Cyrus F. McNutt was admitted to the practice of law before the Johnson county bar in 1860. For a few months, he was a law partner of

Judge Banta and then of Judge Woollen. Upon the death of his wife, he went to Martinsville, where he became a very successful lawyer. McNutt was professor of law in the State University from 1874 to 1877. He then located at Terre Haute. He was elected Judge of the Superior court of Vigo county in 1890.

Daniel Wait Howe, a stepson of Colonel Oyler, was a member of the Johnson county bar from the close of the war until 1872. He served as Prosecuting Attorney in 1869, and in 1872 Howe and C. Byfield, of the firm of Woollen & Byfield, moved to Indianapolis to practice law together. The partnership was maintained in that city until Howe was elected Judge of the Superior court of Marion county.

Richard M. Johnson, a native of Bartholomew county, was educated in the law school of Washington and Lee University at Lexington, Virginia, graduating in 1871. He began the practice of law at Columbus, Indiana, but moved to Franklin in 1873 and became a partner of Judge Woollen and Jacob L. White. After a year, Judge Woollen withdrew from the firm. Johnson was a member of the Johnson county bar from 1873 to 1885, when he accepted an appointment under President Cleveland as chief clerk in the office of the auditor for the postoffice department. After Cleveland's term expired, he held various other positions in the treasury department until his death, May 21, 1902. William T. Pritchard, a native of Johnson county, was admitted to the bar in 1875. He was attorney for the Mutual Building and Loan Association. He was City Attorney of Franklin from 1891 to 1897. Jacob L. White, who was the eldest son of George B. White, entered the law office of Woollen & Byfield as a student and upon the removal of Byfield to Indianapolis, White became associated with Judge Woollen and Richard M. Johnson in the practice of law. After Judge Woollen withdrew, the firm name became Johnson & White and this arrangement continued until 1880, when Mr. White became the junior member of the firm of Buckingham & White. He served as prosecuting attorney of the circuit, and in 1886 and 1888 represented Johnson county in the State Legislature. He died in May, 1889, at the age of forty.

Frederick S. Staff, a native of Henry county, Indiana, was educated at Earlham College and in the law school of the University of Michigan. After practicing law for a short time in Little Rock, Arkansas, he came in 1874 to Franklin and for a number of years was associated in the practice of law with Peter M. Dill. He was prosecuting attorney for two terms from 1882 to 1886. He died February 4, 1894.

John C. McNutt, of Martinsville, who is the nephew of the late Cyrus F. McNutt, of Terre Haute, served as prosecuting attorney from 1888 till 1892 and as state law librarian from 1893 to 1898. Afterward he moved to Martinsville, where he engaged in the practice of his profession until April, 1916, when Governor Ralston appointed him to a seat on the Appellate bench to succeed Judge Joseph H. Shea who had resigned to accept an appointment as Minister to Chili. Judge McNutt was nominated at the Democratic convention in April, 1916, for a place on the Appellate bench and his appointment to the vacancy on the resignation of Judge Shea immediately followed the convention.

John V. Oliver, a native of Johnson county, was a student at Franklin College, and in 1897 became the junior member of the firm of Overstreet & Oliver. He died April 27, 1900.

Jesse Overstreet, the son of G. M. Overstreet, Sr., was born in Franklin, December 14, 1859. He graduated from Franklin College in 1882. He was Deputy United States Marshal under President Harrison and practiced law with his father until his election to Congress from the Fifth district in 1894. After his election in 1896 from the Seventh district, composed of Marion and Johnson counties, he moved to Indianapolis. He continued to serve as a member of Congress until 1909. He served as chairman of the committee on post-offices, and during 1909 and 1910 was a member of the national monetary commission and the author of the gold standard act passed by Congress in 1910. He died on June 3, 1910.

ASSOCIATE JUDGES

Israel Watts-----May 2, 1823.

Daniel Boaz-----May 2, 1823.

Daniel Boaz.....	August 15, 1829, to serve seven years from May 2, 1830.
James Smoek.....	August 15, 1829, to serve seven years from May 2, 1830; died June, 1830.
William Keaton.....	September 8, 1830 (special election), to serve seven years from May 2, 1830; resigned June, 1834.
James R. Alexander....	August 22, 1834 (special election), to serve seven years from May 2, 1830, vice William Keaton, resigned.
James R. Alexander....	August 16, 1836, to serve seven years from May 2, 1837; removed from county September, 1842.
Robert Moore.....	August 16, 1836, to serve seven years from May 2, 1837.
James Fletcher.....	November 30, 1842 (special election), to serve seven years from May 2, 1837, vice James R. Alexander, removed.
John R. Carver.....	August 15, 1843, to serve seven years from May 2, 1844.
James Fletcher.....	August 15, 1843, to serve seven years from May 2, 1844.
John Wilson.....	1844; died October, 1844.
David McAlpin.....	August 20, 1850, to serve seven years from May 2, 1851.
John Wilson.....	August 20, 1850, to serve seven years from May 2, 1851.

PROBATE JUDGES.

John Smiley.....	August 15, 1829.
Israel Watts.....	September 8, 1830.
John Snajley.....	August 22, 1837.
Bartholomew	
Applegate	August 20, 1844.
Peter Voris.....	August 16, 1851.

COMMON PLEAS JUDGES.

Franklin Hardin.....	1852-60.
George A. Buskirk.....	1860-64.
Oliver J. Glessner.....	1864-68.
Thomas W. Woollen....	1864-70, resigned.
Richard L. Coffey.....	Appointed October 15, 1870-73.

DISTRICT PROSECUTING ATTORNEYS.

Samuel P. Oyler.....	1852-54.
Squire A. W. Garrett...	1854-55.
Jonathan H. Williams...	1855-59, resigned.
David D. Banta.....	1859-60.
Stephen Thresher.....	1860-61, resigned.
James Harrison.....	Appointed January 7, 1861-62.
David D. Banta.....	1862-64.

Kendall M. Hord.....1864-66.
 Francis M. Conner.....1866-68.
 James A. Reeves.....1868-69. resigned.
 William C. Sandifer...Appointed May 24, 1869-70.
 George W. Workman...1870-72, died in office.
 James A. Jordan.....Appointed August 21, 1872.
 Charles W. Snow.....1872-73.

PRESIDENT JUDGES.

William W. Wick.....May 5, 1823-January 20, 1825, resigned to become secretary of state. Fifth circuit.
 Bethuel F. Morris.....Appointed January 20, 1825-December 4, 1834, resigned.
 William W. Wick.....Appointed December 4, 1834-August 2, 1839, resigned.
 James Morrison.....Appointed August 2, 1839-August 15, 1842.
 William Quarles.....August 15, 1842; returned commission September 28, 1842.
 Stephen Major.....Appointed September 28, 1842; declined to accept.
 Fabius M. Finch.....Appointed October 6, 1842-December 16, 1842.
 William J. Peaslee.....December 16, 1842-September 17, 1849, resigned.
 William W. Wick.....Appointed September 17, 1849-October 12, 1852.

CIRCUIT JUDGES.

William W. Wick.....October 12, 1852-January 12, 1854. Fifth circuit.
 Stephen Major.....January 12, 1854; resigned September 5, 1859.
 William W. Wick.....Appointed September 5, 1859-October 24, 1859.
 Fabius M. Finch.....October 24, 1859-October 27, 1865.
 John Coburn.....October 27, 1865-September 24, 1866; resigned to go to congress.
 John T. Dye.....Appointed September 24, 1866-November 3, 1866.
 Cyrus C. Hines.....November 3, 1866-May 5, 1869. The act of May 5, 1869, put Johnson in the Twenty-eighth. Hines was transferred to the Fifth, composed of Marion and Hendricks, with the act of April 29, 1869.
 Andrew L. Robinson...Appointed May 18, 1869-August 25, 1869.
 Samuel P. Oyler.....August 25, 1869-August 24, 1870.
 David D. Banta.....August 24, 1870-October 24, 1876. The act of March 6, 1873, put Johnson in the Sixteenth, with Shelby, and transferred Banta from the Twenty-eighth to the Sixteenth.
 Kendall Moss Hord...October 24, 1876-November 16, 1888.
 Leonard J. Hackney...November 16, 1888; resigned January 2, 1893, to become a member of the supreme court.
 William A. Johnson...Appointed January 2, 1893-November 13, 1894.
 William J. Buckingham...November 13, 1894-November 13, 1906. The act of February 28, 1899, put Johnson and Brown in the

Eighth, where they have since remained. At the same time Buckingham was transferred to the Eighth.

William E. Deupree.....November 13, 1906; term expires November 13, 1918.

PROSECUTING ATTORNEYS.

Harvey Gregg.....August 9, 1824-August 9, 1825. Fifth circuit.
 Calvin Fletcher.....August 9, 1825-August 14, 1826.
 James Whitcomb.....August 14, 1826-January 14, 1829.
 William W. Wick.....January 14, 1829-December 15, 1830, resigned.
 Phillip Sweetzer.....December 15, 1830-March 10, 1831, resigned.
 Hiram Brown.....Appointed March 10, 1831-December 12, 1831
 Harvey Gregg.....December 12, 1831-April 11, 1833.
 William Herod.....April 11, 1833-December 9, 1836.
 William Quarles.....December 9, 1836-April 13, 1839, resigned.
 William J. Peaslee.....April 13, 1839-January 29, 1841.
 Hugh O'Neal.....January 29, 1841-January 29, 1843.
 Abram A. Hammond...January 29, 1843-January 29, 1847.
 Edward Lander.....January 28, 1847-January 29, 1849.
 David S. Gooding.....August 27, 1851-October 12, 1852.
 Reuben A. Riley.....October 12, 1852-October 27, 1854. Fifth circuit.
 DeWitt C. Chipman...October 27, 1854-November 2, 1856.
 Peter S. Kennedy.....November 2, 1856-November 2, 1858.
 William P. Fishback...November 2, 1858-October 5, 1862, resigned.
 William W. Leathers...Appointed October 5, 1862-December 27, 1865.
 Joseph S. Miller.....December 27, 1865-April 12, 1867.
 John V. Hadley.....April 12, 1867-November 3, 1868.
 Daniel W. Howe.....November 3, 1868-May 5, 1869. The act of May 5, 1869, put Johnson in the Twenty-eighth, and provided that Howe should be transferred to the Twenty-eighth in August of the same year.
 William P. Hargrave...Appointed May 18, 1869-August 23, 1869.
 Daniel W. Howe.....August 23, 1869-October 24, 1870.
 Nathaniel T. Carr....October 24, 1870-June 25, 1872, resigned.
 John W. Morgan.....Appointed June 25, 1872-March 6, 1873. The act of March 6, 1873, put Johnson in the Sixteenth.
 Kendall M. Hord.....Appointed March, 1873-July 16, 1874, resigned.
 W. Scott Ray.....Appointed July 16, 1874-October 24, 1878.
 Leonard J. Hackney...October 24, 1878-October 25, 1880.
 Jacob L. White.....October 25, 1880-November 17, 1882.
 Frederick S. Staff...November 17, 1882-November 17, 1886.
 Peter M. Dill.....November 17, 1886-November 17, 1888.
 John C. McNutt.....November 17, 1888-November 17, 1892.
 Thomas H. Campbell...November 17, 1892-November 17, 1896.
 Alonzo Blair.....November 17, 1896-February 28, 1899. The act of February 28, 1899, put Johnson and Brown in the Eighth, where they have since remained.

Elmer E. Roland.....	February 28, 1899-October 22, 1899.
Fremont Miller.....	October 22, 1899-January 1, 1906.
Thomas Williams.....	January 1, 1906-January 1, 1908.
Henry E. White.....	January 1, 1908-January 1, 1914.
John P. Wright.....	January 1, 1914; term expires January 1, 1918.

KNOX COUNTY.

Knox is the oldest county in Indiana. Vincennes, its county seat, was an old town when George Washington was inaugurated President in 1789. In fact, the best evidence indicates that Vincennes was established in 1732, the same year Washington was born. Knox county was organized on June 30, 1790, by Winthrop Sargent, the Secretary of the Northwest Territory. At that time the county included practically all of the present state of Indiana, half of Michigan, all of Illinois and Wisconsin, and about one-third of Minnesota. There was no question at that time but that Vincennes should be the county seat, since it was the only town of any size within the territory in question. Knox was the only county in Indiana territory until 1801, when Clark county was organized. As new counties were organized, Knox was decreased in its limits until it was given its present boundaries with the organization of Sullivan county, December 30, 1816.

It is impossible within the limit of this article to give a complete resume of the territorial courts of Knox county and only a brief summary of these courts can be given in this connection. A full discussion of the territorial courts is found in chapter II. The French founded Vincennes and remained in undisputed possession of the city and most of the Northwest Territory until 1763, when the treaty of Paris deprived France of all the territory which that nation held on the continent of America. Under the dominion of the French, there were no courts in Vincennes and, as far as is known, no courts were maintained in the French possessions in the United States. Such affairs as might find their way into court were adjudicated by the commandants at Vincennes. It is true that the Northwest Territory was nominally a possession of England after the close of the French and Indian War in 1763, but, as a matter of fact, it exercised only a nominal jurisdiction over

its inhabitants during the sixteen years it was under British control. England made no attempt to establish a form of government for the territory, later known as the Northwest Territory, and it was not until after the conquest of George Rogers Clark in 1779 that steps were taken toward providing a definite form of government for the territory. In 1779 Virginia, which claimed jurisdiction over most of the territory north of the Ohio and east of the Mississippi, passed an act providing for a definite form of government. The head of the government was John Todd, who was appointed by the Governor of Virginia as "Lieutenant of the Country and Commander-in-Chief." Todd at once proceeded to Vincennes and issued a proclamation in which he set forth the powers delegated to him by the Legislature of Virginia.

In June, 1779, Todd organized the first court which ever existed within the limits of the present state of Indiana. It bore the title of "A Court for the District of Post Vincennes." This court, which possessed both civil and criminal jurisdiction, was presided over by four Judges, appointees of Todd: F. Busseron, L. E. Doline, Pierre Gamelin and Pierre Queray. This court had charge of all court matters until the Ordinance of 1787 became operative.

The Ordinance of 1787, passed by the Continental Congress on the 13th of July, of that year, provided for a definite form of government for the "Territory Northwest of the River Ohio." Gen. Arthur St. Clair was appointed Governor of the newly organized territory and he proceeded at once to establish a semblance of government. Between 1787 and 1790 he organized three counties within the present state of Ohio. In the spring of 1790 Governor St. Clair sent his Secretary, Winthrop Sargent, to organize a county with Vincennes as the county seat. Pursuant to his instructions from the Governor, Secretary Sargent proceeded to Vincennes and on June 20th, as before stated, he formally established the county of Knox, naming it in honor of Gen. Henry Knox, who was then Secretary of War under President Washington.

With the establishment of the county, it was necessary to provide for some form of court and Sargent established what was known as the "General Quarter Sessions of the Peace."

This court held its first session at the house of John Small in Vincennes on July 4, 1790. This was the first court established within the present limits of Indiana. Strange as it may seem, this court, with its meager amount of business to handle, was presided over by five Judges: Antoine Gamelin, Paul Gamelin, Francois Busseron, James Johnson and Luke Decker. Samuel Baird was clerk of the court and John Small was the sheriff. This court maintained regular sessions until Indiana territory was created in 1800.

In addition to the court just mentioned, there was organized in 1795 a court of "Oyer and Terminer, and General Jail Delivery and Nisi Prius." This court held its first session in October, 1795, at Vincennes and was presided over by John Cleves Symmes, the senior Judge of the Territory Northwest of the Ohio. There was a very small amount of business transacted by this first session and, as far as the local records disclose, this first session was also the last one.

The next step in the history of the Knox county courts opens in 1800. On May 7th of that year, the Northwest Territory was divided by a line drawn from the mouth of the Kentucky river to Ft. Recovery and thence due north. All that part of the Northwest Territory west of this line was called Indiana Territory and that remaining on the eastern side retained the old name of the Northwest Territory. The federal act organizing Indiana Territory provided for a new set of Judges and new kind of courts. At that time there were only three counties in Indiana Territory—Knox, St. Clair and Randolph—the last two being in the southwestern part of what is now Illinois. Knox county comprised practically all of Indiana, half of Michigan and more than half of the present states of Illinois and Wisconsin.

As soon as Indiana Territory was organized in 1800, President Adams appointed Henry Vanderburgh, William Clark and John Griffin, Judges of the territory. According to the federal statute, two courts were provided for the territory. The so-called General court exercised jurisdiction throughout the whole territory, while the Common Pleas court was restricted in its jurisdiction to the county where it was organized. The latter court exercised civil and criminal jurisdiction, and also

had charge of all probate matters. These two courts were in existence during the sixteen years Indiana was a territory, the Federal Judges having charge of the General court and the Associate Judges presiding over the Common Pleas courts in the respective counties. It is interesting to note in this connection that Henry Hurst was clerk of both these courts for Knox county during the sixteen years they were in existence.

With the adoption of the Constitution of 1816 a new system of courts was established, although it should be mentioned that Circuit courts had really been established two years prior to that time. The Territorial Legislature in 1814 established what it called a Circuit court and Knox county proceeded at once to organize a court based upon this statute. It held its first session at Vincennes, May 9, 1814, but, owing to the fact that there was no President Judge, Associate Judges or prosecutor present, no business was transacted. When the court met in August, 1814, the President Judge again failed to put in appearance and it was again necessary to adjourn the court. The first term of this court in which any business was transacted was held March 16, 1815, when Isaac Blackford appeared as President Judge and Daniel Sullivan and James B. McCall as Associate Judges.

TERRITORIAL JUDICIARY.

- July 4, 1800-----Justices of the Court of General Quarter Sessions and Justices of the Court of Common Pleas: James Johnston, Luke Decker, Abel Westfall, Antoine Marechal (or Marechal), Jonathan Purcell, Abraham Huff, Marston G. Clark, John Noble Woods.
- July 28, 1800-----Judge of Probate: Henry Vanderburgh.
- November 5, 1800-----Justices of the Court of General Quarter Sessions and Justices of the Court of Common Pleas: Benjamin Beckes and Ephraim Jordan.
- January 14, 1801-----Judge of Probate: Abraham Westfall.
- February 3, 1801-----Judges of the Court of Common Pleas and Justices of the Court of General Quarter Sessions: James Johnston, Luke Decker, Abel Westfall, Antoine Marechal (or Marechal), Benjamin Beckes and Ephraim Jordan.
- February 3, 1801-----Justices of the Court of Quarter Sessions: Pierre Gamelin and Jonathan Purcell.

- August 3, 1801-----Judge of the Court of Common Pleas: Pierre Gamelin.
- August 3, 1801-----Justice of the General Quarter Sessions: John Ochiltree.
- August 29, 1801-----Justice of the peace: William Wells and William Burnett.
- December 26, 1801-----Justice of the peace: David Robb.
- February 3, 1802-----Ephraim Jordan resigned as Judge of the Court of Common Pleas, and Justice of the Court of General Quarter Sessions.
- March 10, 1802-----Justice of the peace: John Kinsey.
- February 2, 1803-----Judge of the General Quarter Sessions and of the Court of Common Pleas: George Leech, vice Benjamin Beckes, resigned.
- November 1, 1803-----Justices of the Court of General Quarter Sessions and Judges of the Court of Common Pleas: George Wallace, Jr., and Peter Jones.
- June 1, 1804-----Justice of the General Quarter Sessions: Jacob Hardin.
- September 22, 1804-----Justice of the General Quarter Sessions and Judge of the Common Pleas: Daniel McClure.
- June 4, 1805-----Justice of the peace: George Hobin.
- August 8, 1805-----Justice of the peace: Jonathan Antointy (or Anthony).
- September 4, 1805-----Justice of the General Quarter Sessions: William V. Moorman.
- September 24, 1805-----Justices of the peace: Isaac White and William Prince.
- November 5, 1805-----Judges of the Court of Common Pleas: Elihu Stout and William V. Moorman.
- December 31, 1805-----Judge of the Common Pleas: James Johnson, Luke Decker and George Leech.
- March 15, 1806-----Justice of the peace: Robert Gill.
- April 11, 1806-----Justice of the peace: Robert M. Evans.
- July 15, 1806-----Justice of the peace: Abraham Lander.
- August 15, 1806-----Justice of the Peace: Wilson Montgomery.
- January 30, 1807-----Justice of the peace: Israel McGready.
- February 19, 1807-----Justices of the peace: Walter Wilson and -----.
- May 2, 1807-----Justice of the peace: John Shively.
- May 25, 1807-----Justice of the peace: Jabez Jones.
- July 1, 1807-----Justice of the peace: Jacob Winemiller.
- August 5, 1807-----Justice of the peace: Henry Brinton.
- August 24, 1807-----Justice of the peace: Jonathan Taylor.
- March 16, 1808-----Justice of the peace: Paul Casselberry.
- May 24, 1808-----Justice of the peace: Robert Warfth.
- July 14, 1808-----Justice of the peace: George Robinson.
- August 17, 1808-----Justice of the peace: Daniel Grass.

- September 24, 1808_____Justice of the peace: William Jones.
- November 28, 1808_____Justices of the peace: Benjamin D. Price and William Polke.
- March 16, 1809_____Justice of the peace: Aeneas McAllister.
- March 30, 1809_____Justice of the peace: William McCormick.
- April 7, 1809_____Justice of the peace: Abraham Kuykendall.
- February 9, 1810_____Justices of the peace: General W. Johnson and Isaac Montgomery.
- April 5, 1810_____Justice of the peace: John McDonald.
- April 13, 1810_____Justice of the peace: William Prince.
- May 2, 1810_____Justice of the peace: Samuel Gill.
- June 21, 1810_____Judge of the Court of Common Pleas: Daniel McClure, vice George Leech, resigned.
- June 26, 1810_____Justice of the peace: William Carruthers.
- July 14, 1810_____Justice of the peace: General W. Johnston.
- August 1, 1810_____Justice of the peace: Joseph Kennedy.
- December 14, 1810_____Justice of the peace: Jacob Warrick.
- January 1, 1811_____Justice of the peace: John Johnson.
- January 7, 1811_____Prosecuting attorney: Thomas Randolph.
- March 4, 1811_____Justice of the peace: John Wallace.
- March 7, 1811_____Justice of the peace: William Flint.
- March 15, 1811_____Justice of the peace: William Gamble.
- April 30, 1811_____Justice of the peace: Squire Patterson.
- July 16, 1811_____Justices of the peace: James Black and Charles Carson.
- December 3, 1811_____Justice of the peace: James Smith.
- March 28, 1812_____Justice of the peace: Daniel Sullivan.
- April 27, 1812_____Justices of the peace: Aaron Young and Wyatt Anderson.
- November 22, 1812_____Judge of the Court of Common Pleas: Abel Westfall.
- March 3, 1813_____Justice of the peace: John McMadden.
- April 16, 1813_____Judge of the Court of Common Pleas: Benjamin Beckes, vice James Johnson, resigned.
- August 7, 1813_____Prosecuting attorney: William Prince.
- January 7, 1814_____Judges of the Circuit court: Luke Decker, first Judge; Abel Westfall, second Judge; Benjamin V. Beckes, third Judge.
- April 16, 1814_____Justice of the peace: John B. Drennen.
- September 15, 1814_____Associate Judges of the Circuit court: Daniel Sullivan, first associate; James B. McCall, second associate.
- November 22, 1814_____Justice of the peace: Samuel Chambers.
- February 8, 1815_____Justice of the peace: Frederick Graeter.
- March 22, 1815_____Justice of the peace: Jesse Hollowell.
- June 1, 1815_____Justice of the peace: Samuel Cobb.
- June 17, 1815_____Justice of the peace: William H. Routt.

- December 16, 1815.-----Associate Judge of the Circuit court: William Polk.
- March 7, 1816.-----Justices of the peace: William Turner and Benjamin B. Kercheval.
- March 23, 1816.-----Justice of the peace: Samuel Perry.
- April 13, 1816.-----Justice of the peace: Joseph Letchan.
- May 18, 1816.-----Justice of the peace: Frederick Shultz.
- September 7, 1816.-----Associate Judges of the Circuit court: John Ewing and Daniel Sullivan.

ASSOCIATE JUDGES.

- William B. McCall.-----February 24, 1817; resigned, 1819.
- William Carrothers ____February 24, 1817.
- John Ewing _____August 1, 1818.
- John B. Drennin.-----April 10, 1819, vice William B. McCall, resigned; resigned, February, 1820.
- Henry Ruble _____April 27, 1820.
- Mark Barnett _____April 27, 1820.
- William S. Colman.-----September 25, 1821; died, December, 1822.
- Edghill Burnside ____December 25, 1822.
- William Polke _____February 26, 1823, vice William S. Colman, deceased.
- Henry Ruble _____December 4, 1823; resigned, January, 1829.
- John Moore _____December 4, 1823.
- Richard P. Price.-----March 27, 1829 (special election), March 8, 1829, vice Henry Ruble (resigned), to serve seven years from December 4, 1823. Richard P. Price died, March, 1834.
- Richard P. Price.-----September 8, 1830, to serve seven years from February 24, 1831.
- John Moore _____September 8, 1830, to serve seven years from February 24, 1831.
- Joseph Chambers ____May 13, 1834, to serve seven years from February 24, 1831, vice Richard P. Price, deceased.
- Robert N. Carnaan.----August 11, 1837, to serve seven years from February 24, 1838; resigned, 1839.
- John Barkman _____August 11, 1837, to serve seven years from February 24, 1838; resigned.
- Thomas Bishop _____August 13, 1839, vice Robert N. Carnaan, resigned.
- Andrew Berry _____August 8, 1842, to serve seven years from February 24, 1838, vice John Barkman, resigned.
- Charles Polke _____August 21, 1844, to serve seven years from February 24, 1835.
- Thomas Bishop _____August 21, 1844, to serve seven years from February 24, 1845; died, September, 1845.
- Archibald Simpson ____November 13, 1845 (special election), to serve seven years from February 24, 1845, vice Thomas Bishop, deceased.

Robert N. Johnson.....August 23, 1851, to serve seven years from February 24, 1852.

Frederick I. Myers.....August 23, 1851, to serve seven years from February 24, 1852.

PROBATE JUDGES.

William PolkeAugust 13, 1829.

George W. Ewing.....April 19, 1831, appointed vice William Polke, resigned.

George W. Ewing.....August 13, 1831; resigned, October 6, 1835.

Abner T. Ellis.....October 19, 1835, appointed to serve until first Monday in August, 1836.

Abner T. Ellis.....August 9, 1836; resigned, October, 1838.

Benjamin M. Thomas...October 5, 1838, vice Abner T. Ellis, resigned.

Robert N. Carnaan.....November 9, 1838.

George R. Gibson.....August 13, 1839.

Robt. F. McConaughy...July 28, 1841, vice George R. Gibson, resigned.

Robt. F. McConaughy...August 9, 1841; died, September, 1841.

John H. Harrison.....October 8, 1841, vice Robert F. McConaughy, deceased.

James ThomAugust 8, 1842.

Clark WillisAugust 24, 1849.

COMMON PLEAS JUDGES.

R. A. Clements, Sr.....1852-66, resigned.

James C. Denny.....Appointed May 21, 1866-November 12, 1866.

R. A. Clements, Sr.....866-67.

W. Ray Gardiner.....Commission issued October 22, 1867; declined to accept.

James T. Pierce1867-73

DISTRICT PROSECUTING ATTORNEYS.

James H. McConnell...1852-54.

Clark M. Anthony.....1854-55, resigned.

Henry S. Cauthora...Appointed July 2, 1855-56, resigned.

J. W. Burton.....Appointed March 29, 1856.

William H. Donahey...1856-58.

Oliver T. Baird.....1858-60, resigned.

Noah S. Givan.....Appointed March 27, 1860-62.

James T. Pierce.....1862-66.

Samuel H. Taylor.....1866-70.

Europe F. Littlepage...1870-72, resigned.

Frank B. Posey.....Appointed March 19, 1872.

Charles H. McCarty...1872-73.

PRESIDENT JUDGES.

Benjamin ParkeDecember 21, 1816-February 8, 1817, resigned. First circuit.

William PrinceAppointed February 8, 1817-May 16, 1818.

Thomas Blake -----May 16, 1818-December 31, 1818.
 General W. Johnston---December 31, 1818-April 10, 1819, resigned.
 Jonathan Doty -----Appointed April 10, 1819-March 7, 1822.
 Jacob Call -----March 7, 1822-July 28, 1824, resigned.
 John R. Porter -----Appointed July 28, 1824-January 20, 1830. The act
 of January 20, 1830, put Knox in the Seventh.
 John Law -----January 25, 1830-August 10, 1831, resigned.
 General W. Johnston---Appointed August 10, 1831-January 21, 1832.
 Amory Kinney -----January 21, 1832-January 25, 1837.
 Elisha M. Huntington---January 25, 1837-July 12, 1841, resigned.
 William P. Bryant---Appointed July 12, 1841-January 25, 1844.
 John Law -----January 25, 1844; resigned, July 31, 1850.
 Samuel B. Gookins-----Appointed July 31, 1850-January 30, 1851.
 Delana R. Eckles-----January 30, 1851-October 12, 1852.

CIRCUIT JUDGES.

Alvin P. Hovey-----October 12, 1852; resigned, September 26, 1854.
 Third circuit.
 William E. Niblack---September 26, 1854; resigned, October 24, 1857.
 Ballard Smith -----Appointed October 24, 1857-November 1, 1858.
 Michael F. Burke-----November 1, 1858; died in office in 1864.
 James C. Denny-----Appointed June 27, 1864-November 1, 1864.
 John Baker -----November 1, 1864-November 1, 1870.
 Newton F. Mallott---November 1, 1870; died in office in April, 1888. The
 act of March 6, 1873, put Knox in the Twelfth,
 with Daviess and Martin, and the act of April 2,
 1885, made it the sole county in the Twelfth, where
 it has since remained.
 George W. Shaw-----Appointed April 28, 1888-December 1, 1900.
 Orlando H. Cobb-----December 1, 1900-December 1, 1912.
 Benj. M. Willoughy---December 1, 1912; term expires December 1, 1918.

PROSECUTING ATTORNEYS.

John Law -----August 9, 1824-January 20, 1830. First circuit.
 The act of January 20, 1830, put Knox in the
 Seventh.
 E. M. Huntington---January 25, 1830-January 25, 1832.
 John H. Dowden-----January 25, 1832-April 9, 1833, died.
 Erasmus H. McJunkin---Appointed April 9, 1833-August 14, 1834, died.
 John Cowgill -----Appointed August 14, 1834-December 4, 1834.
 David McDonald -----December 4, 1834-August 17, 1837, resigned.
 John Cowgill -----Appointed August 17, 1837-February 13, 1838.
 Delana R. Eckles-----Appointed February 13, 1838-February 15, 1841,
 resigned.
 Edward W. McGaughey---February 15, 1841-August 10, 1842, resigned.
 George F. Waterman---Appointed August 10, 1842-December 15, 1842.
 John P. Usher-----December 15, 1842-December 15, 1844.
 James M. Hanna-----December 15, 1844-December 15, 1846.

- James C. Allen.....December 15, 1846-December 15, 1848.
 Harvey D. Scott.....August 19, 1851-October 12, 1852.
 Andrew L. Robinson...October 12, 1852-November 7, 1854. Third circuit.
 Nathaniel UsherNovember 7, 1854-November 22, 1855, resigned.
 Harmon G. Barkwell...November 22, 1855-August 31, 1857, resigned.
 William F. Parrott...August 31, 1857-November 12, 1857.
 James M. Shanklin....November 12, 1857; resigned, October 11, 1858.
 Commission issued again November 24, 1858. Served
 to August 3, 1859, when the act of Legislature
 transferred Shanklin to the Fifteenth.
 R. A. Clements, Jr.Appointed August 3, 1859-August 14, 1866.
 W. Ray Gardiner.....Appointed August 14, 1866-November 3, 1866.
 Cutler S. Dobbins.....November 3, 1866-November 3, 1872.
 Samuel H. Taylor.....November 3, 1872-March 6, 1873. The act of
 March 6, 1873, put Knox in the Twelfth with
 Davies and Martin.
 John H. O'Neill.....Appointed April 12, 1873-November 12, 1877.
 Ephraim MoserNovember 12, 1877-November 12, 1879.
 John S. Long.....November 12, 1879-November 17, 1882.
 Arnold J. Padgett.....November 17, 1882-April 2, 1885. The act of April
 2, 1885, made Knox the sole county in the Twelfth,
 where it has since remained. This act also trans-
 ferred Padgett from the Twelfth to the Forty-
 ninth.
 William A. Cullop.....Appointed April 2, 1885-November 17, 1886.
 John C. Adams.....November 17, 1886-November 17, 1888.
 Orlando H. Cobb.....November 17, 1888-November 17, 1892.
 John T. Goodman.....November 17, 1892-November 15, 1898.
 William S. Hoover....November 15, 1898-January 1, 1903.
 Samuel M. Emmison...January 1, 1903-January 1, 1907.
 D. Frank Culbertson...January 1, 1907-January 1, 1911.
 Shuler McCormick ...January 1, 1911-January 1, 1913.
 Arthur A. Clark.....January 1, 1913-January 1, 1915.
 Joseph W. Kimmell...January 1, 1915; term expires January 1, 1917.

KOSCIUSKO COUNTY.

Kosciusko county was organized by the Legislature with the act of January 18, 1837, but did not begin its formal career as an independent political unit until the first of the following June. Kosciusko county had previously been a part of Marshall county, its entire territory being included in that county in what was known as Turkey Creek township. The commissioners, designated in the organizing act to select a site for the seat of justice, selected the present town of War-

saw without seriously considering any other place in the county. The only other site which received any consideration was Leesburg, which, at that time, was a town of more importance and the center of the most thickly populated part of the county. Warsaw was laid out, and the plat filed by W. H. Knotton, October 21, 1836.

The records of the first court show that it convened at the house of Levi Lee in Leesburg, October 31, 1836, but that an adjournment was taken from Leesburg to Warsaw, where it appears that court was held at the house of Jacob Losier until a suitable building was provided. The first court house was a temporary structure, which gave way to a frame building in the center of the court house square in 1845. When Kosciusko county was organized, it was attached to the Eighth judicial circuit, which, at that time, was presided over by Samuel E. Sample. It is interesting to note that in August, 1836, the county boasted a total of 289 polls. The early court records of Kosciusko county do not disclose any criminal business of importance, the great majority of the indictments being for minor offenses. It is not known that any other county in the state had as peculiar a seal as was adopted by the first commissioners of this county. Whether they lacked originality, or whether they were mercenarily inclined is not known, but whatever the reason may have been, they decided to adopt the reverse side of the United States dime as their first seal.

ASSOCIATE JUDGES.

Henry Ward	-----	June 13, 1836, to serve seven years from date.
James Comstock	-----	June 13, 1836, to serve seven years from date. Removed from county, May, 1841.
James Brown	-----	August 14, 1841 (special election), to serve seven years from June 13, 1836.
Samuel D. Hall	-----	August 10, 1842, to serve seven years from June 13, 1843.
James Brown	-----	August 10, 1842, to serve seven years from June 13, 1843.
James Humphreys	----	August 25, 1849, to serve seven years from June 13, 1850.
Isaac H. Jennings	-----	August 25, 1849, to serve seven years from June 13, 1850.

PROBATE JUDGES.

- William B. Blain-----August 16, 1838; resigned.
 Jacob Baker -----June 16, 1842, vice William B. Blain.
 Joseph Hall -----August 10, 1842, to serve seven years from date;
 resigned, July, 1843.
 Clement B. Simonson---July 25, 1845 (special election), vice Joseph Hall,
 resigned.
 John Rogers -----August 15, 1843; resigned prior to August 7, 1850.
 William C. Graves-----August 7, 1850, vice John Rogers, resigned.
 Jacob Felkner -----August 20, 1850.

COMMON PLEAS JUDGES.

- John L. Knight-----1852-56, resigned.
 George E. Gordon-----Appointed January 10, 1856-October 28, 1856.
 Joseph H. Matlock-----1856-60.
 Kline G. Shryock-----1860-62.
 David D. Dykeman---1862-65, resigned.
 Thomas C. Whiteside---Appointed May 12, 1865-70, resigned.
 Daniel P. Baldwin-----Appointed August 25, 1870-October 24, 1870.
 James H. Carpenter---1870-73.

DISTRICT PROSECUTING ATTORNEYS.

- Joseph H. Matlock-----1852-55, resigned.
 James Wallace -----Appointed July 14, 1855-56.
 Moses F. Collins-----1856-58.
 Walter Scott -----1858-59, resigned.
 Elisha V. Long-----1859-60.
 William DeHart -----1860-resigned.
 W. W. Shuler-----Appointed December 22, 1860-61, resigned.
 E. T. Dickey-----Appointed November 2, 1861-62.
 Stewart T. McConnell_1862-64.
 John A. Farrell-----1864-66, resigned.
 Dyer B. McConnell---Appointed March 14, 1866.
 Horace S. Foot-----1866-68.
 Jerome Q. Stratton---1868-70.
 Hiram G. Depuy-----1870-72.
 H. B. Shively-----1872-73.

PRESIDENT JUDGES.

- Samuel C. Sample-----June 1, 1837-August 8, 1843, resigned. Ninth cir-
 cuit.
 John B. Niles-----Appointed August 8, 1843-December 1, 1843.
 E. M. Chamberlain---December 1, 1843; resigned in August, 1852.
 Robert R. Lowry-----Appointed August 28, 1852-October 12, 1852.

CIRCUIT JUDGES.

- Elza A. McMahon-----October 12, 1852; resigned August 15, 1855. Tenth
 circuit.
 James L. Worden-----Appointed August 15, 1855; resigned January 18,
 1858.

- Reuben J. Dawson-----Appointed January 18, 1858-October 26, 1858.
 Edward R. Wilson-----October 26, 1858-October 26, 1864.
 Robert R. Lowry-----October 26, 1864-February 20, 1867. The act of
 February 20, 1867, put Kosciusko in the Four-
 tenth.
 Hiram S. Tousley-----Appointed February 28, 1867-October 30, 1872.
 James I. Best-----October 30, 1872-March 6, 1873. The act of March
 6, 1873, put Kosciusko in the Thirty-third.
 Elisha V. Long-----Appointed March 17, 1873-October 22, 1885.
 Walter Olds -----October 22, 1885; resigned December 31, 1888.
 Joseph W. Adair-----Appointed December 31, 1888-March 1, 1889.
 The act of March 1, 1889, made Kosciusko the sole
 county in the Fifty-fourth, where it has since re-
 mained.
 James S. Frazer-----Appointed March 1, 1889-November 17, 1890.
 Edgar Haymond -----November 17, 1880-November 17, 1896.
 Hiram S. Biggs-----November 17, 1896-February 1, 1894, resigned.
 L. W. Royce-----Appointed February 1, 1904-November 17, 1908.
 Francis Bowser -----November 17, 1908; term expires November 17,
 1920.

PROSECUTING ATTORNEYS.

- Joseph L. Jernegan-----Appointed June 1, 1837-August 15, 1838, resigned.
 Ninth circuit.
 John B. Niles-----Appointed August 15, 1838-December 7, 1838.
 William C. Hanna-----December 7, 1838-December 15, 1842.
 E. M. Chamberlain-----December 15, 1842-September 19, 1843, resigned.
 Reuben L. Farnsworth-----Appointed September 19, 1843-September 19, 1845.
 Johnson Horrell -----Appointed September 19, 1845; failed to file with
 secretary of state his bond and oath of office. His
 commission returned April 29, 1846, "said Farns-
 worth not vacating his office."
 James Bradley -----Appointed April 13, 1846; vice Farnsworth, re-
 moved from state, served to August 25, 1846.
 Joseph H. Mather-----Appointed August 25, 1846-August 25, 1848.
 James S. Frazer-----August 28, 1851-October 12, 1852.
 John M. Connell-----October 12, 1852-January 27, 1853. Tenth circuit.
 Joseph Breckenridge --Appointed January 27, 1853; refused to accept
 office.
 James L. Worden-----Appointed February 17, 1853; resigned, February
 1, 1854.
 E. R. Wilson-----Appointed February 1, 1854-August 20, 1856, re-
 signed.
 Sandford J. Stoughton-----Appointed August 20, 1856-December 6, 1858.
 James M. Defrees-----December 6, 1858; died, May, 1859.
 John Colerick-----Appointed May 10, 1859-October 26, 1860.

- Augustus A. Chapin---October 26, 1860-November 3, 1862.
 James H. Schell-----November 3, 1862-November 3, 1866.
 Thomas W. Wilson----November 3, 1866-February 20, 1867. The act of
 February 20, 1867, put Kosciusko in the Four-
 teenth.
 James H. Carpenter---Appointed March 7, 1867-October 30, 1867.
 Ezra D. Hartman-----October 30, 1867-October 24, 1870.
 James McGrew -----October 24, 1870-May 20, 1872.
 Leigh H. Haymond----Appointed May 20, 1872-March 6, 1873. The act of
 March 6, 1873, put Kosciusko in the Thirty-third.
 Thomas I. Wood-----March 6, 1873-October 26, 1874. The act of March
 6, 1873, transferred Wood from the Ninth to the
 Thirty-third.
 Perry O. Jones-----October 26, 1874-March 9, 1875. Transferred to
 Forty-first.
 James A. Campbell----Appointed March 9, 1875-October 25, 1876.
 Lemuel W. Royce-----October 24, 1876-October 24, 1878.
 Michael Sickafoose ---October 24, 1878-October 25, 1880.
 John D. Widamon-----October 25, 1880-November 17, 1882.
 Michael Sickafoose ---November 17, 1882-November 17, 1884.
 James W. Cook-----November 17, 1884-November 17, 1888.
 George M. Ray-----November 17, 1888-November 17, 1890. The act of
 March 1, 1889, put Kosciusko in the Fifty-fourth.
 This act transferred Ray to the Fifty-fourth.
 William H. Eiler-----November 17, 1890-November 17, 1894.
 L. B. McKuley-----November 17, 1894-November 17, 1896.
 Melvin H. Summy----November 17, 1896-January 1, 1901.
 Henry W. Graham----January 1, 1901-January 1, 1905.
 John A. Sloane -----January 1, 1905-January 1, 1907.
 F. Wayne Anglin-----January 1, 1907-January 1, 1909.
 Herschell V. Lehman--January 1, 1909-January 1, 1913.
 F. Wayne Anglin-----January 1, 1913-January 1, 1915.
 Homer Longfellow ---January 1, 1915; term expires January 1, 1917.

LAGRANGE COUNTY.

Lagrange county was organized by the legislative act of February 2, 1832, and began its independent career on the first of the following April. The first county seat was located on the site of an old Indian village, which bore the euphonious name of Mongoquinong. This name was somewhat too cumbersome and the locating commissioners shortened it to Lima. The county seat remained at this place for more than ten years, but as the population of the county increased, it became evident that a more central location for the seat of justice was

imperative. The Legislature was asked to pass an act providing for relocation and the act of February 13, 1840, designated locating commissioners for this purpose.

The town of Lagrange had been platted June 18, 1836, and in the summer of 1840 the locating commissioners selected this town, which, on account of its central location, has proved to be a satisfactory site in every particular. The court house in Lagrange was officially accepted by the county commissioners on December 5, 1843, and on the first of the following January the records were transferred from the old county seat at Lima to the court house in Lagrange.

The first term of the Circuit court of Lagrange county met at the house of Moses Rice, October 22, 1832. According to the records, the court was called to order "at a convenient place between two haystacks," but it later adjourned to the house of Rice, where the session was held. At the time of its organization, Lagrange was attached to the Sixth judicial circuit, which was then presided over by Judge Charles H. Test. Luther Newton and Ephraim Seeley were the first Associate Judges and W. J. Brown was the prosecuting attorney of the circuit. However, Brown was not present at the opening session on account of illness and Samuel C. Sample was appointed prosecutor pro tem in his place.

ASSOCIATE JUDGES.

Ephraim Seeley	.....	May 22, 1832, to serve seven years from date.
Luther Newton	.....	May 22, 1832, to serve seven years from date.
Thomas I. Spaulding	.....	August 22, 1838, to serve seven years from May 22, 1839.
Samuel Wescott	.....	August 22, 1838, to serve seven years from May 22, 1839.
Amos Davis	.....	September 7, 1842, vice Samuel Wescott, removed from county.
Joshua F. Hobbs	.....	August 28, 1844, vice Thomas I. Spaulding (resigned), to serve seven years from May 22, 1839.
Amos Davis	.....	September 20, 1845, to serve seven years from May 22, 1846.
Joshua S. Hobbs	.....	September 20, 1845, to serve seven years from May 22, 1846; resignation filed June 16, 1851.

PROBATE JUDGES.

Elias B. Smith	.....	August 22, 1838.
William Hess Prentiss	.....	August 17, 1840.
William Hess Prentiss	.....	August 19, 1847.

COMMON PLEAS JUDGES.

John H. Mather-----1852-56.
 Edgar W. Metcalf-----1856-60.
 William M. Clapp-----1860-73.

DISTRICT PROSECUTING ATTORNEYS.

Robert Parrett -----1852-54, resigned.
 Edgar W. Metcalf-----Appointed November 9, 1854-56, resigned.
 Mito S. Hascall-----Appointed October 28, 1856-58.
 John K. Morrow-----1858-60.
 George W. Cummings--1860-62.
 Lewis Covill -----1862-64.
 Asa M. Tinker-----1864-66.
 Joseph D. Ferrall-----1866-68.
 Joseph R. Morton-----1868-73.

PRESIDENT JUDGES.

Charles H. Test-----April 1, 1832-January 7, 1833. The act of January 7, 1833, took Lagrange out of the Sixth and put it in the Eighth.
 Gustavus A. Everts----January 9, 1833-July 5, 1836, resigned.
 Samuel C. Sample-----Appointed July 5, 1836-January 9, 1836; transferred to the Ninth.
 Charles W. Ewing-----January 9, 1836-September 1, 1839.
 Henry Chase -----September 1, 1839-December 15, 1839.
 John W. Wright-----December 15, 1839-December 14, 1841. The act of December 14, 1841, put Lagrange in the Twelfth.
 James W. Borden-----December 15, 1841-July 23, 1851, resigned.
 Elza A. McMahon-----Appointed July 31, 1851-October 12, 1852.

CIRCUIT JUDGES.

Elza A. McMahon -----October 12, 1852; resigned August 15, 1855. Tenth circuit.
 James L. Worden-----Appointed August 15, 1855; resigned January 18, 1858.
 Reuben J. Dawson-----Appointed January 18, 1858-October 26, 1858.
 Edward R. Wilson-----October 26, 1858-October 26, 1864.
 Robert R. Lowry-----October 26, 1864-February 20, 1867. The act of February 20, 1867, put Lagrange in the Fourteenth.
 Hiram S. Tousley-----Appointed February 28, 1867-October 30, 1872.
 James I. Best-----October 30, 1872-March 6, 1873. The act of March 6, 1873, put Lagrange in the Thirty-fourth with Elkhart, where they have since remained.
 James D. Osborn-----Appointed March 13, 1873-October 22, 1873.
 William A. Woods-----October 22, 1873; resigned January 3, 1881.
 James D. Osborn-----Appointed January 6, 1881-November 15, 1888.
 John M. Van Fleet-----November 15, 1888-November 15, 1894.
 Henry D. Wilson-----November 15, 1894-November 15, 1900.

- Joseph D. Ferrall-----November 15, 1900; died in office. February 16, 1904.
- Otis L. Ballou-----Appointed February 16, 1894-February 25, 1904. Judge Ballou was appointed under statute provided in cases similar to this one—where the Presiding Judge died in term time. He presided over the court until the governor appointed Judge Merritt.
- Francis D. Merritt-----Appointed February 25, 1904-November 15, 1904.
- James S. Dodge-----November 15, 1904-November 15, 1910.
- James S. Drake-----November 15, 1910; term expires November 15, 1916.

PROSECUTING ATTORNEYS.

- William J. Brown-----April 1, 1832-January 7, 1833. The act of January 7, 1833, took Lagrange out of the Sixth and put it in the Eighth.
- John B. Chapman-----January 10, 1833-August 11, 1834, resigned.
- Samuel C. Sample-----Appointed August 11, 1834-July 5, 1836, resigned.
- Joseph L. Jernegan-----Appointed July 5, 1836-December 10, 1836, resigned.
- Thomas Johnson -----Appointed December 10, 1836-December 3, 1838.
- John W. Wright-----December 3, 1838-December 5, 1839.
- Lucian P. Ferry-----December 5, 1839-December 14, 1841. The act of December 14, 1841, put Lagrange in the Twelfth.
- William H. Combs-----December 14, 1841-December 14, 1843.
- Robert L. Douglas-----December 14, 1843-September 19, 1845.
- Elza A. McMahon-----September 19, 1845-September 19, 1849.
- James L. Worden-----August 28, 1851-October 12, 1852.
- John M. Connell-----October 12, 1852-January 27, 1853. Tenth circuit.
- Joseph Brackenridge -- January 27, 1853; resigned to accept office.
- James L. Worden-----Appointed February 17, 1853-February 1, 1854, vice Connell, resigned, and Brackenridge, who refused to accept office.
- Edward R. Wilson-----Appointed February 1, 1854-August 20, 1856, resigned.
- Sanford J. Stoughton---Appointed August 20, 1856-December 6, 1858.
- James M. Defrees-----December 6, 1858; died in May, 1859.
- John Colerick -----Appointed May 10, 1859-October 26, 1860.
- Augustus A. Chapin----October 26, 1860-November 3, 1862.
- James H. Schell-----November 3, 1862-November 3, 1866.
- Thomas W. Wilson-----November 3, 1866-February 20, 1867. The act of February 20, 1867, put Lagrange in the Fourteenth.
- James H. Carpenter---Appointed March 7, 1867-October 30, 1867.
- Ezra D. Hartman-----October 30, 1867-October 24, 1870.
- James McGrew -----October 24, 1870-May 20, 1872.
- Leigh H. Haymond-----Appointed May 20, 1872-March 6, 1873. The act of March 6, 1873, put Lagrange in the Thirty-fourth with Elkhart, where they have since remained.

Cyrus U. Wade	-----	Appointed March 13, 1873-October 22, 1873.
Wesley C. Glasgow	----	October 22, 1873-October 22, 1877.
Cyrus U. Wade	-----	October 22, 1877-October 22, 1879.
James S. Drake	-----	October 22, 1879-October 22, 1883.
Francis D. Merritt	-----	October 22, 1883-October 22, 1887.
John E. McClaskey	----	October 22, 1887-October 22, 1889.
John T. Sullivan	-----	October 22, 1889-October 22, 1893.
Miles R. McClaskey	----	October 22, 1893-October 22, 1897.
Charles G. Sims	-----	October 22, 1897-January 1, 1902.
William B. Hile	-----	January 1, 1902-January 1, 1906.
William H. Duff	-----	January 1, 1906-January 1, 1908.
Lloyd L. Burris	-----	January 1, 1908-December 29, 1910, resigned.
James L. Harmon	----	Appointed December 29, 1910-January 1, 1912.
Sidney K. Ganiard	----	January 1, 1912-January 1, 1914.
Oscar Jay	-----	January 1, 1914; term expires January 1, 1918.

LAKE COUNTY.

Lake county was organized by the legislative act of January 18, 1837. The act provided that the county should begin its formal career on the 15th of the following month. The county experienced considerable trouble in getting its seat of justice permanently located.

Although the locating commissioners were named in the act of January 18, 1837, which organized the county, nothing had been done by them up to February 17, 1838. On the latter date the Legislature passed an act establishing a temporary court house at the residence of Milo Robinson. The act said, "Whereas, nearly all the lands within the limits of the County of Lake are yet the property of the General Government," it is "impossible at present to make a permanent location of a seat of justice." For this reason the residence of Robinson was "recognized and established as the court house and the seat of justice of said county." On the same day the Legislature passed another bill selecting two new men on the locating board of commissioners to take the places of two named in the act organizing the county. One man had died and the other refused to serve.

This reorganized board, however, did nothing toward locating the county seat, and the next Legislature passed an act, February 14, 1839, creating a new set of commissioners with discretionary authority to locate the seat of justice. They

were to meet at Robinson's court house on the first Monday of May, 1839, and proceed to examine all proposed sites. There were three locations offered; the first site, "Lake County Court House," usually written as "Lake C. H.," Cedar Lake and Liverpool. Liverpool was the successful bidder, but the site was not satisfactory to a majority of the citizens. For the third time the Legislature was appealed to, and a third set of locating commissioners was named in the act of February 13, 1840. The commissioners rode into the county in June, looked over the ground, canvassed the claims and offers of the various sites and finally settled on the site of the original court house of Robinson, "Lake County Court House." This name was admitted to be a little too cumbersome and it was suggested that the county agent, George Earle, and the two proprietors, Judge Clark and Solon Robinson, get together and select a new name. They agreed on Crown Point and the county seat has ever since borne that name.

The first session of the Lake Circuit court convened at "Lake Court House," as the seat of justice was then called, in the log building which was provided by Milo Robinson. Upon the organization of the county it was attached to the Ninth circuit over which Samuel C. Sample was then presiding. The county remained in this circuit until the adoption of the new Constitution in 1852. During this period of fifteen years (1837 to 1852) there were four Judges who presided over the circuit to which Lake county was attached. All of these Judges have been mentioned in other counties.

When the state was divided into ten circuits in 1852, Lake county was placed in the Ninth circuit, which at that time included no less than thirteen counties, namely: Lake, Porter, Laporté, St. Joseph, Marshall, Starke, Fulton, Carroll, Howard, Pulaski, White, Cass and Miami. This was by far the largest circuit in the state, although the smallest circuit had seven counties. The circuits were decreased in size from time to time and by 1873 the population had increased to such an extent that the state was divided into thirty-eight circuits. The act of March 6, 1873, constituted Lake, Porter and Starke as the Thirty-first circuit. Lake has been the sole county in the circuit since the act of February 24, 1913, at which time Por-

ter, with which it had been united since February 24, 1883, was established as the Sixty-seventh circuit.

The Judges who have served since 1852 have nearly all been mentioned in the counties where they lived. Judge Elisha C. Field, now president of the Monon Railroad, was born in Valparaiso, April 9, 1842. After graduating from Valparaiso University he entered the University of Michigan and graduated with the degree of LL. B. in 1865. The same year he was admitted to the bar and located at Crown Point, where he soon built up a large practice. He was elected Judge of the Twenty-first circuit in 1879 and served on the circuit for ten years. He resigned in 1889 to become to general solicitor of the Louisville, New Albany & Chicago Railroad, later known as the Chicago, Indianapolis & Louisville Railroad—the Monon Route. In 1907 he was made vice-president of the road and in 1914 was elected president.

John H. Gillett, who was appointed July 2, 1892, to fill the unexpired term of William Johnston, also served for ten years on the circuit to which Lake was attached. Judge Gillett resigned January 25, 1902, to accept an appointment to the Supreme bench to fill the unexpired term of Francis E. Baker. Judge Gillett was later elected as a member of the Supreme court and served until January, 1909. Upon retiring from the bench he again engaged in practice in Hammond, where he has lived since he was admitted to the bar in 1881. Judge Gillett was born in 1860 at Medina, New York, but has lived practically all of his life in Indiana. He is the author of two legal publications which have received high commendation at the hands of his fellow members of the bar. His work on "Criminal Law" was first issued in 1888, a second edition coming from the press in 1895. In 1897 he issued "Indirect and Collateral Evidence."

Willis C. McMahan, the present Judge of the Lake Circuit court was born in Carroll county, Indiana, August 2, 1858. After graduating from the Delphi high school he started to teach, later entering the University of Michigan, where he studied law in 1881 and 1882. He continued his legal education in the office of a Logansport firm and was admitted to the bar at Delphi in 1883. In the spring of 1884 he located

at Crown Point and has made this county his home since that time. He was prosecuting attorney from 1890 to 1894 and was serving as county attorney when Governor Durbin appointed him, January 25, 1902, to fill the unexpired term of Judge Gillett. Judge McMahan was elected in the fall of the same year and re-elected in 1908 and 1914.

Lake county has had two members of its local bar who have served in Congress, Thomas J. Wood and John B. Peterson. Wood was born in Ohio, reared on a farm, taught school in Vigo county, Indiana, worked his way through the law department of the University of Michigan and graduated at the head of his class in 1868. He at once located at Lowell, Lake county, Indiana, where he began the practice of his profession, but two years later moved to Crown Point, where he lived the remainder of his life. He became one of the Democratic leaders of his county, was elected to several town offices, served as prosecuting attorney from 1872 to 1876, served in the state Senate from 1876 to 1880 and was elected to Congress in the fall of 1882 from the Tenth district. After serving one term in Congress he returned to Crown Point, where he lived until his death, October 13, 1908. It might be mentioned that when he was elected to Congress in 1882 he had the largest Republican majority of any district in the state to overcome, and that as a result of the strength shown by him in his race for Congress his name was even mentioned for the presidency.

John B. Peterson, the other congressman from Lake county, was born in this county, July 4, 1851, and has been identified with the legal profession of his county since he was nineteen years of age. He served as prosecuting attorney from 1880 to 1884, the only official position which he has held besides his service in Congress. In 1913 he was elected to Congress as a representative of the Tenth district, a district which had been overwhelmingly Republican for many years. Peterson has not only been a successful lawyer, but has also given considerable of his time and attention to the banking business. He is president of the Commercial bank of Crown Point and the First Calumet Trust and Savings bank of East Chicago.

ASSOCIATE JUDGES.

- William Clark ----- April 15, 1837, to serve seven years from date.
 William B. Crooks----- April 15, 1837; removed from county, 1838.
 Henry D. Palmer----- February 11, 1838, vice William B. Crooks.
 Samuel Turner ----- August 18, 1843, to serve seven years from April
 15, 1844; died, February, 1847.
 Henry D. Palmer----- August 18, 1843, to serve seven years from April
 15, 1844.
 Benjamin McCarty ---- August 21, 1847, to serve seven years from April
 15, 1844, vice Samuel Turner, deceased; resigned,
 September, 1849.
 Alexander F. Brown--- November 3, 1849, to serve seven years from April
 15, 1844; died before qualifying.
 William Rockwell ---- January 12, 1850 (special election), to serve seven
 years from April 15, 1844.
 William Rockwell ---- September 26, 1850, to serve seven years from
 April 15, 1851.
 Michael Pearce ----- September 26, 1850, to serve seven years from
 April 15, 1851.

PROBATE JUDGES.

- Robert Wilkinson ---- November 10, 1837.
 Hervey Ball ----- August 30, 1844; resigned, July, 1849.
 David Turner ----- August 25, 1849 (special election).

COMMON PLEAS JUDGES.

- Herman Lawson ----- 1852-56.
 William C. Talcott----- 1856-68.
 Hiram A. Gillett----- 1868-73.

DISTRICT PROSECUTING ATTORNEYS.

- Daniel Noyes ----- 1852-54.
 J. A. Thornton----- 1854-56.
 Martin Wood ----- 1856-58.
 Edward M. Horan----- 1858-59, died in office.
 Joseph M. Door----- Appointed July 6, 1859-60.
 R. S. Dwiggin----- 1860-62.
 Oliver W. Ray----- 1862-64.
 James Burson ----- 1864-66.
 Elisha C. Fields----- 1866-68.
 William H. Martin----- 1868-70.
 William T. Horine----- 1870-72.
 Newton T. Bozart----- 1872-73.

PRESIDENT JUDGES.

- Samuel C. Sample----- February 15, 1837-August 8, 1843, resigned. Ninth
 circuit.
 John B. Niles----- Appointed August 8, 1843-December 1, 1843.
 E. M. Chamberlain---- December 1, 1843; resigned in August, 1852.
 Robert R. Lowry----- Appointed August 28, 1852-October 12, 1852.

CIRCUIT JUDGES.

- Thomas S. Stanfield---- October 12, 1852; resigned, February 23, 1857.
Ninth circuit.
- Albert G. David----- February 23, 1857-November 17, 1857.
- Andrew L. Osborn----- November 17, 1857-October 24, 1870.
- Thomas S. Stanfield---- October 24, 1870-March 6, 1873. The act of March 6, 1873, put Lake in the Thirty-first.
- Hiram A. Gillett----- Appointed March 14, 1873-October 22, 1879.
- Elisha C. Field----- October 22, 1879; resigned in March, 1889, to become general solicitor for the Monon route.
- William Johnston ---- Appointed March 12, 1889; resigned, July 2, 1892.
- John H. Gillett----- Appointed July 2, 1892; resigned, January 25, 1902, to accept an appointment to the Supreme bench.
- Willis C. McMahan---- Appointed January 25, 1902-term expires November 13, 1920. The act of February 24, 1913, made Lake the sole county in the Thirty-first, where it has since remained.

PROSECUTING ATTORNEYS.

- Joseph L. Jernegan---- February 15, 1837-August 15, 1838, resigned. Ninth circuit.
- John B. Niles----- August 15, 1838-December 7, 1838.
- William C. Hanna----- December 7, 1838-December 15, 1842.
- E. M. Chamberlain---- December 15, 1842-September 19, 1843.
- Reuben L. Farnsworth_ September 19, 1843-September 19, 1845.
- Johnson Horrell ---- September 19, 1845; failed to file with secretary of state his bond and oath of office. His commission returned April 29, 1846, "said Farnsworth not vacating his office."
- James Bradley ----- Appointed April 13, 1846-August 25, 1846; vice Farnsworth removed from state.
- Joseph H. Mather----- August 25, 1846-August 25, 1848.
- James S. Frazer----- August 25, 1851-October 12, 1852.
- D. J. Woodward----- October 12, 1852-November 7, 1854. Ninth circuit.
- Morgan H. Weir----- November 7, 1854-October 1, 1856, resigned.
- Reuben L. Farnsworth_ Appointed October 1, 1856-October 30, 1856.
- Mark S. Dumont----- October 30, 1856-November 15, 1858.
- William B. Biddle----- November 15, 1858-November 15, 1860.
- David T. Phillips----- November 15, 1860-November 15, 1864.
- Aaron G. Guiney----- November 15, 1864-November 15, 1866.
- William H. Calkins---- November 15, 1866-November 15, 1870.
- Michael L. Essick----- November 15, 1870-November 15, 1872.
- Thomas J. Wood----- November 15, 1872-November 15, 1876. The act of March 6, 1873, put Lake in the Thirty-first. This act transferred Wood from the Ninth to the Thirty-first.

- Julius W. Youche.....November 15, 1876-November 15, 1880.
 John B. Peterson.....November 15, 1880-November 17, 1884.
 Edgar D. Crumpacker...November 17, 1884-November 17, 1888.
 Charles N. Norton.....November 17, 1888-November 17, 1890.
 Willis C. McMahan.....November 17, 1890-November 17, 1894.
 Thomas H. Heard.....November 17, 1894-November 17, 1898.
 Stanley H. Sutton.....November 17, 1898-January 1, 1901.
 William J. McAleer.....January 1, 1901-January 1, 1907.
 David E. Boone.....January 1, 1907-January 1, 1911.
 Charles E. Greenwald...January 1, 1911-January 1, 1913. The act of February 24, 1913, made Lake the sole county in the Thirty-first, where it has since remained.
 James A. Patterson.... January 1, 1913; term expires January 1, 1917.

SUPERIOR COURT.

Lake county was united with Porter and Laporte in one Superior court circuit by the act of March 9, 1895, which was passed over the Governor's veto. These three counties continued to form one Superior court circuit until the act of March 8, 1907, divided the circuit, making Lake one court and Porter and Laporte another. The Judge of the district formerly including the three counties became the Judge of the Porter-Laporte Superior court and the Governor appointed, for the Lake Superior court, Virgil S. Reiter, who is still on the bench. The population of Lake county increased to such an extent that it was found necessary to provide additional courts and the act of February 22, 1911, provided for two additional Superior Judges. The Governor appointed Lawrence Becker, Judge of Room 2, and he served until November, 1914, when Walter T. Hardy, who had just been elected, assumed the bench. For Room 3, Judge Johannes Kopelke was appointed March 6, 1911, to serve until November 16, 1914, on which date Charles E. Greenwald ascended the bench. Room 3 alternates between Hammond and Crown Point, holding five-week sessions.

Lake is the only county in the state which boasts of two court houses, there being one at Crown Point, the county seat, and another at Hammond. The building of the court house at Hammond was the result of the establishment of a Superior court in Lake county and the credit for the building belongs to James M. Bradford, a successful business man of the

city who has always taken an active part in the civic life of the county. It was while serving as county commissioner from 1894 to 1900 that he took the lead in the agitation for a court house in Hammond for the use of the Superior court. It was originally stipulated when a Superior court was established in Hammond that the county commissioners should provide quarters for holding its sessions. But Bradford was anxious for the city to provide a court house and through his efforts a site was selected and an architect secured to provide plans for a building, and all of this was done before the opponents of his scheme realized what he was doing. The question of building was taken into the courts, where the matter was finally settled in favor of Bradford and those advocating the erection of the building.

The first Judge of the Superior court of Lake county was Virgil S. Reiter, a native of Indiana. He began the practice of law at Rochester, Indiana, where he later served as city attorney. He located at Hammond in August, 1893, and served as city attorney in Hammond from 1902 to 1904. He has been on the Superior bench from the time the court was established. Upon the organization of Room Two of the Lake Superior court in 1911, the Governor appointed Lawrence Becker, a native of Germany and a resident of Hammond since 1896, as its first Judge. Judge Becker came from Germany with his parents when ten years of age, the family settling at Tolleston, Indiana, where they lived four years. The family then moved to Montana, where young Bradford remained until he was twenty-three years of age. He then returned to Indiana and completed his education at Valparaiso University, graduating from the law department in 1896. He served as city attorney at Hammond from 1898 to 1902 and was Mayor of the city from May, 1904 to March, 1911, when he was appointed Judge of the Superior court, Room Two. He served until November, 1914, when he was succeeded by the present incumbent, Walter T. Hardy. At the time Rooms Two and Three were established in 1911, Johannes Kopelke was appointed Judge of Room Three. Judge Kopelke was born in Germany and received his education in the Royal Gymnasium of his native land before coming to America. Upon coming

to this country he entered the University of Michigan and graduated from the law department of that institution in 1876. He at once located at Crown Point, Indiana, and formed a partnership with T. S. Fancher, but the partnership was dissolved three years later. He served in the state Senate from 1891 to 1895. He held no other official position until he was appointed Judge of the Superior court, Room Three, in Lake county on March 6, 1911. He served until November 16, 1914, at which time Charles E. Greenwald took the bench. Judge Greenwald had been a member of the Lake county bar for about fifteen years before his election to the Superior court of his county in 1914. He was born in Cleveland, Ohio, graduated from the law department of the University of Michigan in 1895, and three years later located at Whiting, Indiana, where he has since resided. He was prosecuting attorney of the Thirty-first circuit from 1911 to 1913.

LAPORTE COUNTY.

Laporte county was organized by the Legislature on February 2, 1832, and the act became effective on the 1st of the following April. The county seat has always been at Laporte, although Michigan City has made several attempts to secure it. The first session of the Circuit court was held in October, 1832, at the home of A. B. Andrew. The courts were held at various places for the first two or three years. In fact, the county seat was not laid out until 1833, and a year later there were only fifteen houses in the village.

When Laporte county was organized in 1832 it was attached to the First circuit, but a year later (January 7, 1837) it was placed in the Eighth, where it remained until the act of February 17, 1838, put it in the Ninth. It remained in this circuit until the adoption of the new Constitution in 1852. The seven Judges who presided during the two decades prior to 1852, when the new Constitution went into operation, have been mentioned in other counties of the circuit. None of them was a resident of Laporte county.

Thomas L. Stanfield was the first Judge of the circuit elected under the new Constitution, Laporte county being then in the Ninth circuit with the counties of Lake, Porter, St.

Joseph, Marshall, Starke, Fulton, Carroll, Howard, Pulaski, White, Cass and Miami. Laporte remained in this circuit, which was decreased from time to time, until March 6, 1873, when it was united with St. Joseph in the Thirty-second circuit. The two counties were united until January 3, 1897, when Laporte was made the sole county of the Thirty-second and St. Joseph constituted the newly created Sixtieth.

Lucius Hubbard was Judge of the Thirty-second circuit when it was divided by the act of January 30, 1897, and since he lived in South Bend he was transferred to the St. Joseph Circuit court, the newly created Sixtieth. Governor Mount appointed William P. Biddle on March 23, 1897, as Judge of the Laporte Circuit court to serve until the November, 1898, election. At that time John C. Richter was elected to the bench and served two terms. James F. Gallaher, the present incumbent, took the bench on November 15, 1910.

ASSOCIATE JUDGES.

Jacob Miller.....	May 5, 1832, to serve seven years from date.
Judah Leaming	May 5, 1832, to serve seven years from date.
David Evans	August 23, 1834, vice Jacob Miller (resigned), to serve seven years from May 5, 1832; resigned, August, 1836.
Clinton Foster.....	August 22, 1835, vice Judah Leaming (resigned), to serve seven years from May 5, 1832.
Gustavus A. Rose.....	October 5, 1836 (special election), vice David Evans (resigned), to serve seven years from May 5, 1832.
Gustavus A. Rose.....	August 24, 1838, to serve seven years from May 5, 1839.
Willard A. Place.....	August 24, 1838, to serve seven years from May 5, 1839; resigned, June, 1839.
Charles W. Henry.....	August 21, 1839 (special election), vice Willard A. Place (resigned), to serve seven years from May 5, 1839.
William Andrew.....	August 29, 1845, to serve seven years from May 5, 1846.
Abner Bailey.....	August 29, 1845, to serve seven years from May 5, 1846.

PROBATE JUDGES.

Benjamin McCarty.....	September 6, 1832.
Chapel W. Brown.....	August 23, 1834, vice Benjamin McCarty (resigned), to serve seven years from date.
Jabez R. Wells.....	September 13, 1841, to serve seven years from date.

Jabez R. Wells-----August 29, 1848, to serve seven years from September 13, 1848. Jabez R. Wells refused to qualify.
 Gilbert Hathaway-----January 16, 1849, appointed.
 Milford K. Farrand-----August 24, 1849.

COMMON PLEAS JUDGES.

Herman Lawson-----1852-56.
 William C. Talcott-----1856-60.
 Elisha Egbert-----1860-70.
 Edward J. Wood-----1870-72.
 Daniel Noyes-----1872-73.

DISTRICT PROSECUTING ATTORNEYS.

Daniel Noyes-----1852-54.
 J. A. Thornton-----1854-56.
 Martin Wood-----1856-58.
 Edward M. Horan-----1858-59, died in office.
 Joseph M. Dorr-----Appointed July 6, 1859-60.
 Charles P. Jacobs-----1860-62.
 William Andrews-----1862-68.
 Joseph B. Arnold-----1867-70, resigned.
 Orville T. Chamberlain-----Appointed July 15, 1870.
 William B. Hess-----1870-72.
 George Ford-----1872-73.

PRESIDENT JUDGES.

John R. Porter-----April 1, 1832-January 7, 1833. The act of January 7, 1833, took Laporte out of the First and put it in the Eighth.
 Gustavus A. Everts-----January 9, 1833-July 5, 1836, resigned.
 Sample C. Sample-----Appointed July 5, 1836-January 9, 1837, transferred to the Ninth.
 Charles W. Ewing-----January 9, 1837-February 17, 1838. The act of February 17, 1838, put Laporte in the Ninth.
 Samuel C. Sample-----February 17, 1838-August 8, 1843, resigned.
 John B. Niles-----Appointed August 8, 1843-December 1, 1843
 E. M. Chamberlain-----December 1, 1843; resigned in August, 1852.
 Robert R. Lowry-----Appointed August 28, 1852-October 12, 1852.

CIRCUIT JUDGES.

Thomas L. Stanfield---October 12, 1852; resigned, February 23, 1857. Ninth circuit.
 Albert G. David-----February 23, 1857- November 17, 1857.
 Andrew L. Osborn-----November 17, 1857-October 24, 1870.
 Thomas L. Stanfield---October 24, 1870-October 24, 1876. The act of March 6, 1873, put Laporte in the Thirty-second and transferred Judge Stanfield with it.
 Daniel Noyes-----October 24, 1876-November 14, 1894.

- Lucius Hubbard-----November 14, 1894-January 30, 1897. The act of January 30, 1897, made Laporte the sole county in the Thirty-second and transferred Judge Hubbard to the newly created Sixtieth.
- William P. Biddle-----Appointed March 23, 1897-November 8, 1898.
- John C. Richter-----November 8, 1898-November 15, 1910.
- James F. Gallaher-----November 15, 1910; term expires November 15, 1916.

PROSECUTING ATTORNEYS.

- Andrew Ingram-----April 1, 1832-January 7, 1833. The act of January 7, 1833, took Laporte out of the First and put it in the Eighth.
- John B. Chapman-----January 10, 1833-August 11, 1834, resigned.
- Samuel C. Sample-----Appointed August 11, 1834-July 5, 1836, resigned.
- Joseph L. Jernegan-----Appointed July 5, 1836-December 10, 1836, transferred to Ninth.
- Thomas Johnson-----December 10, 1836-February 17, 1838. The act of February 17, 1838, put Laporte in the Ninth.
- Joseph L. Jernegan-----February 17, 1838-August 15, 1838. The act of December 10, 1836, had transferred Jernegan from the Eighth to the Ninth.
- John B. Niles-----August 15, 1838-December 7, 1838.
- William C. Hanna-----December 7, 1838-December 15, 1842.
- E. M. Chamberlain-----December 15, 1842-September 19, 1843, resigned.
- Reuben L. Farnsworth-----September 19, 1843-April 13, 1845, removed from state.
- Johnson Horrell-----September 19, 1845; failed to file with secretary of state his bond and oath of office. His commission, returned April 29, 1846, "said Farnsworth not vacating his office."
- James Bradley-----Appointed April 13, 1846- August 25, 1846, vice Farnsworth, removed from state.
- Joseph H. Mather-----August 25, 1846-August 25, 1848.
- James S. Frazer-----August 28, 1851-October 12, 1852.
- D. J. Woodward-----October 12, 1852-November 7, 1854. Ninth circuit.
- Morgan H. Weir-----November 7, 1854-October 1, 1856, resigned.
- Reuben L. Farnsworth-----Appointed October 1, 1856-October 30, 1856.
- Mark S. Dumont-----October 30, 1856-November 15, 1858.
- William B. Biddle-----November 15, 1858-November 15, 1860.
- David T. Phillips-----November 15, 1860-November 15, 1864.
- Aaron G. Guiney-----November 15, 1864-November 15, 1866.
- William H. Calkins-----November 15, 1866-November 15, 1870.
- Michael L. Essick-----November 15, 1870-November 15, 1872.
- Thomas I. Wood-----November 15, 1872-March 6, 1873. The act of March 6, 1873, put Laporte in the Thirty-second.
- George Ford -----Appointed April 7, 1873-October 22, 1873.

James A. Crawley.....	October 22, 1873-October 22, 1875.
George Ford.....	October 22, 1875; resigned January 15, 1885.
Andrew J. Egbert.....	Appointed to fill vacancy of George Ford served until October 22, 1887.
Abraham L. Brick.....	October 22, 1887-October 22, 1889.
Joseph G. Orr.....	October 22, 1889-October 22, 1891.
Peter D. Connolly.....	October 22, 1891; died May 22, 1893.
Oliver M. Cunningham.....	Appointed May 25, 1893, to fill unexpired term of Connolly; declined to serve.
Francis M. Jackson....	Appointed May 31, 1893-October 22, 1895, vice Cunningham, who declined to serve the unexpired term of Peter D. Connolly, deceased.
John C. Richter.....	October 22, 1895; resigned November 16, 1898. The act of January 30, 1897, made Laporte the sole county in the Thirty-second.
Julius G. Travis.....	Appointed November 16, 1898-October 22, 1899.
William H. Breece.....	October 22, 1899-January 1, 1904.
Jeremiah B. Collins....	January 1, 1904-January 1, 1906.
Theron T. Miller.....	January 1, 1906-January 1, 1908.
Ralph N. Smith.....	January 1, 1908-January 1, 1914.
Worth W. Pepple.....	January 1, 1914; term expires January 1, 1918.

SUPERIOR COURT.

Laporte county was united with Porter and Lake in one Superior court district by the act of March 9, 1895, which was passed over the governor's veto. These three counties continued to form one Superior court district until the act of March 8, 1907, divided the district, making Lake one court and Porter and Laporte another. The Judge of the district formerly including the three counties became the Judge of the Porter-Laporte Superior court, and the Governor appointed a Judge for the newly created Lake Superior court. The governor appointed John Cass on March 28, 1895, as the first Judge of the Superior court district including the counties of Laporte, Porter and Lake. Judge Cass was followed (January 1, 1897) by Harry B. Tuthill, who served until January 1, 1915, when the present Judge, Harry L. Crumpacker, ascended the bench. It was during the term of Judge Tuthill that the district was divided, as stated above, Judge Tuthill being continued on the bench of the Laporte-Porter district.

LAWRENCE COUNTY.

Lawrence county, which at one time was a part of Washington and, later, of Orange county, was created out of a part of the latter county by an act approved January 7, 1818. At the suggestion of Benjamin Blackwell, the first county seat of Lawrence county was named Palestine, but by an act of the Legislature, approved February 9, 1825, the county seat was relocated at Bedford. The first court house in Lawrence county was erected at Palestine in the spring of 1818 and was used until 1822, when a new court house was built at Palestine at a cost of five thousand and five hundred dollars. Early in 1825 a temporary log court house was erected at Bedford at a cost of about five hundred dollars. The first term of court in Bedford opened on February 6, 1826. Another court house was finished and accepted in May, 1834, and this served all of the purposes of the county until 1869, when agitation was begun for the erection of another building. The present Lawrence county court house was completed in 1872 at a cost of about one hundred thousand dollars.

The first Circuit court of the county was held at the house of James Gregory on June 4, 1818. The house of Gregory was located in Leatherwood, east of the site of the present city of Bedford, on the David Ikerd farm, which afterward belonged to Capt. Isaac Newkirk. James Gregory, who was a native of North Carolina, located in Lawrence county in 1818, served in the Legislature of 1820 and died in 1842. He was the father of R. C. Gregory, later one of the Judges of the Indiana Supreme court. Thomas Blake was the President Judge when the first court in the county met in June, 1818, but he resigned the last day of the year. General W. Johnston took his seat as Judge of the Circuit court of Lawrence county at the March term in 1819. At this term of court, Robert Holly, Jr., and Winthrop Foote were admitted to the bar. In June, 1819, when the first term of court was held at Palestine, Jonathan Doty was Judge and John Ross the state prosecutor. At the October, 1819 term, Winthrop Foote became prosecutor in the place of John Ross. William W. Wick became Judge of the court in March, 1822. In the

meantime, James R. Higgins, Daniel Shell, Charles Dewey and Hugh S. Ross were admitted to the bar. Rollin C. Dewey and James Bramin were admitted to the bar in October, 1820, and the former became the first resident attorney of Lawrence county. Dewey, who was a native of Massachusetts, died of the cholera in 1832. In June, 1822, Addison Smith, John Kingsbury, Thomas M. Allen, Henry A. Coward and James Whitcomb were admitted to the bar. The last named later became Governor of Indiana. At the June, 1823, term of court, Henry P. Thornton, Edgar C. Wilson and Thomas H. Blake were admitted to the bar.

At the April, 1824, term of the court, John F. Ross presented his commission, duly signed by Governor William Hendricks, and took his seat as Judge of the Second circuit. John Kingsbury became state prosecutor in August, 1824. John H. Thompson became Judge of the court in July, 1833. David McDonald succeeded John H. Thompson as President Judge in January, 1839, and served until the constitution of 1851 went into operation on October 12, 1852.

There are many lawyers linked with the legal history of Lawrence county, who became notable in the annals of the state, some of whom were James Hughes, Jonathan K. Kinney, George H. Monson, John H. Butler, Cyrus L. Dunham, John J. Cummins, Daniel Long, William T. Otto, David McDonald, Alexander Butler, William W. Williamson, William A. Porter and Frank Emerson. Among the men admitted to the bar in the late forties and the early fifties were Andrew J. Simpson, George A. Thornton, Samuel W. Short, John A. Miller, J. R. E. Goodlet, Curtiss Dunham, Lovell H. Rousseau, Jesse Cox, Jacob B. Low, A. B. Carlton, George A. Buskirk, A. G. Cavins, Alexander McClelland and E. D. Pearson. Others who became members of the Lawrence county bar in the years shortly thereafter were John D. Ferguson, Thomas L. Smith, Jonathan Payne, J. S. Buchanan, Frank Emerson, Thomas M. Brown, I. N. Stiles, W. W. Browning, Samuel P. Crawford (later Governor of Kansas), S. H. Buskirk, A. C. Voris, William Weir, William R. Harrison, Francis L. Neff, E. E. Rose, P. A. Parks, C. T. Woolfolk, William Herod, Oliver T. Baird, A. D. Lemon, Newton Crook, William Paugh, Gideon Putnam,

Theodore Gazley, John H. Martin, Thomas L. Smith, Michael C. Kerr, Fred T. Brown, R. C. McAfee, Lycurgus Irwin, Madison Evans and Alfred Ryors.

ASSOCIATE JUDGES.

- John Milroy ----- March 2, 1818; resigned, 1820.
 William Erwin ----- March 2, 1818; resigned, August, 1822.
 William Fields ----- August 21, 1820, vice John Milroy, resigned.
 Benjamin Blackwell -- August 25, 1882, vice William Erwin, resigned.
 William Connolly ----- November 25, 1824, to serve seven years from February 11, 1825.
 John D. Laughlin ----- November 25, 1824, to serve seven years from February 11, 1832.
 Joseph Athon ----- August 19, 1831, to serve seven years from February 11, 1832; resignation filed May 5, 1835.
 Pleasant Padgett ----- August 19, 1831, to serve seven years from February 11, 1832.
 Elza Woodard ----- August 11, 1835 (special election), vice Joseph Athon (resigned), to serve seven years from February 11, 1832.
 Elza Woodard ----- August 14, 1838, to serve seven years from February 11, 1839.
 John Whitted ----- August 14, 1838, to serve seven years from February 11, 1839.
 Joseph Hostetler ----- August 13, 1841, to serve seven years from February 11, 1839, vice Elza Woodard, resigned.
 Alexander Butler ----- August 20, 1845, to serve seven years from February 11, 1846.
 Joseph Hostetler ----- August 20, 1845, to serve seven years from February 11, 1846; removed from county April 1, 1849.
 Joseph Whitted ----- September 3, 1849, to serve seven years from February 11, 1846; removed from county prior to August 4, 1851.
 Zachariah Whitted ---- August 21, 1851, to serve until February 11, 1853.

PROBATE JUDGES.

- William Erwin ----- August 18, 1829; resigned, 1832.
 Rollin C. Dewey ----- October 12, 1832, vice William Erwin, resigned.
 Asher Wilcox ----- September 7, 1833, to serve seven years from date, vice Rollin C. Dewey. Asher Wilcox's resignation filed July 15, 1835.
 William Duncan ----- July 26, 1835, appointed vice Asher Wilcox, resigned.
 William Duncan ----- August 6, 1836, to serv seven years from date.
 William Duncan ----- August 12, 1843; resignation filed June 28, 1844.
 Isaac N. Senter ----- August 22, 1844.
 William Newland ----- August 10, 1846, vice Isaac N. Senter, resigned.
 William Newland ----- August 24, 1846, to serve seven years from date.

COMMON PLEAS JUDGES.

James R. E. Goodlet___1852-56.
 Frank Emerson -----1856-60.
 Ralph Applewhite ----1860; resigned April 28, 1862.
 Simon Stansifer -----Appointed April 28, 1862-November 1, 1862.
 Beattie McClellan ----1862-64.
 Jephtha D. New-----1864-68.
 Frank Emerson -----1868-73.

DISTRICT PROSECUTING ATTORNEYS.

E. D. Pearson-----1852-54.
 Ralph Applewhite ----1854-56.
 Robert McAfee -----1856-60.
 Lycurgus Irwin -----1860-62, resigned.
 Jeremiah Bundy -----Appointed January 17, 1862.
 Jephtha D. New-----1862-64.
 William L. Bane-----1865-65, resigned.
 John M. Kerr-----Appointed August 25, 1865.
 Marion Mooney -----1865-66.
 Newton Croake -----1866-70.
 Wilson S. Swengel-----1870-72.
 George W. Cooper-----1872-73.

PRESIDENT JUDGES.

William Prince -----March 1, 1818-May 16, 1818, resigned. First circuit.
 Thomas Blake -----Appointed May 16, 1818-December 31, 1818.
 General W. Johnston---December 31, 1818-April 10, 1819, resigned.
 Jonathan Doty -----Appointed April 10, 1819-December 31, 1821. The act of December 31, 1821, put Lawrence in the Fifth.
 William W. Wick-----Appointed February 7, 1822-January 14, 1824. The act of January 14, 1824, put Lawrence in the Second.
 John F. Ross-----January 14, 1824; died in office in 1834.
 John H. Thompson-----Appointed July 5, 1834-January 28, 1839. The act of January 28, 1839, put Lawrence in the Tenth.
 David McDonald -----January 28, 1839-October 12, 1852.

CIRCUIT JUDGES.

George A. Bicknell----October 12, 1852-March 6, 1873. The act of March 6, 1873, took Lawrence out of the Second and put it in the Tenth.
 Ambrose B. Carlton----Appointed March 12, 1873-October 22, 1873.
 Eliphalet D. Pearson---October 22, 1873-October 22, 1879.
 Francis Wilson -----October 22, 1879; died in office April 26, 1885.
 Robert W. Miers-----Appointed April 30, 1885-October 23, 1885.
 Eliphalet D. Pearson---October 23, 1885; died in office July 2, 1890.
 Henry C. Duncan-----Appointed July 16, 1890-November 10, 1890.

- Robert W. Miers-----November 10, 1890; resigned in August, 1896.
 Joseph Giles -----Appointed August 12, 1896-November 10, 1896.
 William H. Martin-----November 10, 1896-November 11, 1902.
 James B. Wilson-----November 11, 1902-August 1, 1911. The act of
 March 4, 1911, put Lawrence in the Fortieth, with
 Jackson, where they have since remained.
 Joseph H. Shea-----August 1, 1911-November 19, 1912. Judge Shea
 had been on the bench of the Fortieth since No-
 vember 16, 1906.
 Oren O. Swails-----November 19, 1912; term expires November 19,
 1918.

PROSECUTING ATTORNEYS.

- John Kingsbury -----August 9, 1824-August 14, 1826. Second circuit.
 Milton Stapp -----August 14, 1826-December 30, 1826.
 John Kingsbury -----December 30, 1826-December 30, 1828.
 John H. Thompson-----December 30, 1828-December 30, 1832.
 Isaac Howk -----December 30, 1832-June 5, 1833; died.
 Charles Dewey -----Appointed June 5, 1833-June 4, 1836; transferred
 to Supreme court.
 John W. Payne-----Appointed June 4, 1836-January 28, 1839. The act
 of January 28, 1839, put Lawrence in the Tenth.
 John I. Watts-----February 1, 1839-February 1, 1843.
 William G. Quick-----February 1, 1843-February 1, 1845.
 Craven P. Hester-----February 1, 1845-February 1, 1849.
 William M. Franklin----August 23, 1851-October 12, 1852.
 Samuel W. Short-----October 12, 1852-March 8, 1854, resigned. Second
 circuit.
 Patrick H. Jewett-----Appointed March 8, 1854-November 19, 1856.
 Thomas M. Browne----November 19, 1856-November 7, 1858.
 Robert W. Weir-----November 7, 1858-November 7, 1860.
 Ambrose M. Carlton----November 7, 1860-November 7, 1862.
 Thomas M. Browne----November 7, 1862-November 7, 1866.
 Robert W. Weir-----November 7, 1866-November 24, 1870.
 Robert J. Shaw-----November 24, 1870-March 6, 1873. The act of
 March 6, 1873, took Lawrence out of the Second
 and put it in the Tenth.
 Jeremiah F. Pittman---Appointed March 12, 1873-October 22, 1873.
 J. W. Tucker-----October 22, 1873-October 22, 1875.
 Robert W. Miers-----October 22, 1875; resigned October 23, 1878.
 John R. East-----Appointed October 23, 1878-October 22, 1879.
 Milton S. Mavity-----October 22, 1879-October 22, 1881.
 Henry C. Duncan-----October 22, 1881-October 22, 1883.
 Joseph E. Henley-----October 22, 1883-October 22, 1885.
 Abram Noblett -----October 22, 1885-March 28, 1887.
 Milton S. Mavity-----Appointed March 28, 1887-October 22, 1887.
 Simpson B. Lowe-----October 22, 1887-October 22, 1893.

John E. Edmondson	October 22, 1893-October 22, 1897.
James A. Zaring	October 22, 1897-January 1, 1901.
Robert G. Miller	January 1, 1901-January 1, 1906.
Fred M. Fletcher	January 1, 1906-January 1, 1910.
John H. Underwood	January 1, 1910-January 1, 1912. The act of March 4, 1911, put Lawrence in the Fortieth.
Noble J. Hays	January 1, 1912-January 1, 1913.
John H. Underwood	January 1, 1913-January 1, 1915.
Marshall Woolery	January 1, 1915; term expires January 1, 1917.

MADISON COUNTY.

Madison county was organized by the Legislature on January 4, 1820, but the county was not formally organized until July 1, 1823. Pendleton was selected as the first county seat in 1823, but it was too far from the center of the county to be satisfactory. Although the permanent county seat was located at Anderson, evidently it was once located at a town by the name of Bedford if the legislative act of January 4, 1827, is to be believed. This particular act gave Ansel Richmond, the county recorder and clerk, the right to keep his office at the house of Nathan Richmond until "lots shall have been sold in the town of Bedford, the seat of justice of said county." Bedford had evidently been chosen county seat of Madison county as a result of the act of January 13, 1826, but evidence on this point is conflicting. It seems certain that Andersontown was chosen before anything was done at Bedford toward constructing a court house. The rapid growth of Andersontown, which was much nearer the center of the county, caused the citizens to apply to the Legislature for an act to relocate the county seat. The change from Bedford, or Pendleton, to Andersontown was made as a result of the act of January 24, 1827. The new site appears to have been chosen in 1828, but it was not until 1831 that the court house was ready for occupancy in the newly-chosen county seat. The name of the town was changed from Andersontown to Anderson by the legislative act of February 16, 1848. The court house, with most of the records, was destroyed by fire on December 10, 1880. A new building was at once ordered and it was ready for occupancy on February 21, 1885.

The first act under the 1852 Constitution regarding the

judicial circuits of the state was passed on June 17, 1852. This act divided the state into ten circuits, placing Madison county in the Fifth circuit with the counties of Johnson, Hendricks, Marion, Hancock, Hamilton and Tipton. W. W. Wick, the first Judge of the circuit served from October 12, 1852, to January 12, 1854. Stephen Major was Judge from 1854 until it was changed by the act of February 22, 1859. This act organized the Seventh circuit with the counties of Madison, Hancock, Hamilton, Tipton and Howard. Joseph S. Buckles became the Judge of this circuit and continued to occupy the bench until the act of February 11, 1867, when the Seventeenth circuit was created out of the counties of Madison, Hamilton, Tipton and Howard. Henry A. Brouse, of Kokomo, was appointed Judge of this newly created circuit on February 18, 1867, and served until the first regular election in the fall of 1867. At that time John Davis was elected, but he became incapacitated by reason of a stroke of paralysis and unable to discharge the duties of the office. The Legislature of 1871 passed an act on February 15, which provided that in such a case the Governor should appoint a Judge pro tem to serve during the continuance of the disability, and, should the disability continue, the Judge so appointed should serve until the expiration of the term of the regularly elected Judge. By virtue of this statute, the Governor appointed James O'Brien, of Kokomo, who served until the act of March 6, 1873, united Madison and Hamilton in the Twenty-fourth circuit. The Governor appointed Winburn R. Pierse to the bench of the newly created circuit to serve until the November election of the same year. In November, 1873, Hervey Craven was elected Judge of the Twenty-fourth and served until 1879, being succeeded by Eli B. Goodykoontz for a term of six years. David Moss ascended the bench in November, 1885, and served as Judge of the two counties (Madison and Hamilton) until the act of February 14, 1889. This act left Hamilton as the sole county of the old Twenty-fourth and continued Judge Moss on the Hamilton county bench. Governor Hovey appointed Marcellus A. Chipman as Judge of the newly created Fiftieth circuit, composed of Madison county alone. Judge Chipman served until the November, 1890, election, at which

time Alfred Ellison was elevated to the bench. There has been no change in the Madison county circuit since 1889.

ASSOCIATE JUDGES.

- Samuel Holliday -----September 1, 1823.
 Adam Winchell -----September 1, 1823.
 Adam Winchell -----September 8, 1830, to serve seven years from September 1, 1830.
 Andrew Jackson -----September 8, 1830, to serve seven years from September 1, 1830; resigned, January, 1832.
 John Berry -----March 9, 1832 (special election), vice Andrew Jackson, resigned; John Berry resigned, July, 1832.
 Charles Mitchell -----August 18, 1832 (special election), vice John Berry, resigned.
 Abram Thomas -----August 11, 1837, to serve seven years from September 1, 1837; removed from county, October, 1841.
 William Prigg -----August 11, 1837, to serve seven years from September 1, 1837.
 Uriah Van Pelt-----December 1, 1841, to serve seven years from September 1, 1837, vice Abram Thomas, removed.
 Uriah Van Pelt-----August 17, 1844, to serve seven years from September 1, 1844.
 David Pickard -----August 17, 1844, to serve seven years from September 1, 1844; died between March and August, 1849.
 George Millsbaugh ----August 6, 1846, to serve seven years from September 1, 1844.
 John W. Walker-----September 3, 1849, to serve seven years from September 1, 1844, vice David Pickard, deceased.
 John W. Walker-----August 20, 1851.

PROBATE JUDGES.

- James Scott -----August 8, 1829.
 Thomas Silver -----August 22, 1831.
 Palmer Patrick -----September 28, 1837, appointed vice Thomas Silver, resigned.
 James Scott -----August 11, 1838; died September, 1838.
 John H. Cook-----September 29, 1838, vice James Scott, deceased.
 Enos B. Wright-----August 9, 1839; resigned, March, 1840.
 Neal Hardy -----March 20, 1840, appointed, vice Enos B. Wright; resigned.
 William H. Mershon---August 12, 1840.
 William H. Mershon---August 18, 1847; filed resignation June 9, 1850.
 James N. Starkey-----July 6, 1850, vice William H. Mershon, resigned.

THE COUNTY COURTS

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COMMON PLEAS JUDGES.

David S. Gooding.....1852-56.
 Richard Lake1856-60.
 William Grose1860-61, resigned.
 Elijah B. Martindale...appointed August 31, 1861-October 18, 1861.
 David S. Gooding.....1861; resigned September 10, 1864.
 William R. West.....Appointed September 12, 1864-72.
 Robert L. Polk.....1872-73.

DISTRICT PROSECUTING ATTORNEYS.

James W. Sansbury...1852-56, resigned.
 Montgomery Marsh ...1856-58.
 F. S. C. Cooper.....1858-60.
 William R. Hough.....1860-62.
 Daniel W. Comstock...1862-64.
 James D. Martindale...1864-66.
 Calvin D. Thompson...1866-67, resigned.
 Reuben A. Riley.....appointed April 27, 1867.
 William F. Walker...1867-69, resigned.
 Joseph W. Worl.....Appointed December 8, 1869-72.
 Washington Saunders .1872-73.

PRESIDENT JUDGES.

William W. Wick.....July 1, 1823-January 20, 1835, resigned. Fifth circuit.
 Bethuel F. Morris.....Appointed January 20, 1825-December 4, 1834, resigned.
 William W. Wick.....Appointed December 4, 1834-August 2, 1839, resigned.
 James MorrisonAppointed August 2, 1839-January 15, 1841. The act of January 15, 1841, put Madison in the Eleventh.
 David KilgoreJanuary 15, 1841-January 30, 1846.
 Jeremiah SmithJanuary 30, 1846-October 12, 1852.

CIRCUIT JUDGES.

William W. Wick.....October 12, 1852-January 12, 1854. Fifth circuit.
 Stephen MajorJanuary 12, 1854-February 1, 1859. The act of February 1, 1859, put Madison in the Seventh.
 Joseph S. Buckles.....February 1, 1859-February 11, 1867. Judge Buckles had been on the bench in the Seventh since October 26, 1858. The act of February 11, 1867 put Madison in the Seventeenth with Hamilton.
 Henry A. Brouse.....Appointed February 18, 1867-October 19, 1867.
 John DavisOctober 19, 1867-March 4, 1871.
 James O'BrienAppointed March 4, 1871-March 6, 1873. The act of March 6, 1873, put Madison in the Twenty-fourth.

- Winburn R. Pierce-----Appointed March 29, 1873-October 19, 1873.
 Harvey Craven -----October 19, 1873-October 19, 1879.
 Eli B. Goodykoontz----October 19, 1879-October 19, 1885.
 David Moss -----October 19, 1885-February 14, 1889. The act of
 February 14, 1889, made Madison the sole county
 in the newly created Fiftieth, where it has since
 remained, and authorized the governor to appoint
 a judge for the new circuit.
 Marcellus A. Chipman_ Appointed February 22, 1889-November 12, 1890.
 Alfred Ellison -----November 12, 1890-November 12, 1896.
 John F. McClure-----November 12, 1896-November 12, 1908.
 Charles K. Bagot-----November 12, 1908-November 12, 1914.
 Luther Pence -----November 12, 1914; term expires November 12,
 1920.

PROSECUTING ATTORNEYS.

- Harvey Gregg -----August 9, 1824-August 9, 1825. Fifth circuit.
 Calvin Fletcher -----August 9, 1825-August 14, 1826.
 James Whitcomb -----August 14, 1826-January 14, 1829.
 William W. Wick-----January 14, 1829-December 15, 1830, resigned.
 Phillip Sweetzer -----December 15, 1830-March 10, 1831, resigned.
 Hiram Brown -----Appointed March 10, 1831-December 12, 1831.
 Harvey Gregg -----December 12, 1831-April 11, 1833.
 William Herod -----Appointed April 11, 1833-December 9, 1836, re-
 signed.
 William Quarles -----December 9, 1836-April 13, 1839, resigned.
 William J. Peaslee----Appointed April 13, 1839-January 15, 1841. The
 act of January 15, 1841, put Madison in the
 Eleventh.
 Jeremiah Smith -----January 15, 1841-December 15, 1841.
 John M. Wallace-----December 15, 1841-November 14, 1843, resigned.
 John Davis -----Appointed November 14, 1843-September 7, 1846.
 Joseph S. Buckles----September 7, 1846-September 7, 1848.
 William Garver -----August 20, 1851-October 12, 1852.
 Reuben A. Riley-----October 12, 1852-October 27, 1854. Fifth circuit.
 DeWitt C. Chapman---October 27, 1854-November 2, 1856.
 Peter S. Kennedy-----November 2, 1856-November 2, 1858.
 William P. Fishback---November 2, 1858-February 1, 1859. The act of
 February 1, 1859, put Madison in the Seventh.
 David Nation -----February 1, 1859-October 31, 1859.
 David Moss -----October 31, 1859-November 12, 1861.
 John A. Harrison-----November 12, 1861-November 12, 1865.
 Lemuel G. Gooding----November 12, 1865-February 11, 1867. The act of
 February 11, 1867, put Madison in the Seventeenth.
 Nicholas Van Horu----Appointed February 18, 1867-October 25, 1867.
 William O'Brien -----October 25, 1867-October 24, 1870.
 James F. Elliott-----October 24, 1870-March 6, 1873. The act of March
 6, 1873, put Madison in the Twenty-fourth.

- Franklin M. Trissal---Appointed March 29, 1873-October 22, 1873.
 Joel Stafford -----October 22, 1873-October 22, 1875.
 Augustus S. McAllister.October 22, 1875; resigned February 7, 1876.
 F. M. Householder----Appointed February 7, 1876-October 24, 1878.
 Thomas B. Orr-----October 24, 1878-October 25, 1880.
 William A. Kettinger..October 25, 1880-November 17, 1884.
 David W. Wood-----November 17, 1884-November 17, 1886.
 John F. Neal-----November 17, 1886-November 17, 1888.
 David W. Patty-----November 17, 1888-February 14, 1889. The act of
 February 14, 1889, made Madison the sole county
 in the newly created Fiftieth where it has since
 remained.
 David W. Wood-----Appointed February 23, 1889-November 12, 1890.
 Albert C. Garver-----November 12, 1890-November 12, 1892.
 Bartlett H. Campbell..November 12, 1892-November 12, 1894.
 Daniel W. Scanlon----November 12, 1894-November 12, 1898.
 William F. Edwards---November 12, 1898-January 1, 1901.
 Albert H. Vestal-----January 1, 1901-January 1, 1907.
 Frederick Van Nuys---January 1, 1907-January 1, 1911.
 Jesse C. Shumau-----January 1, 1911-January 1, 1915.
 Sparks L. Brooks-----January 1, 1915; term expires January 1, 1917.

SUPERIOR COURT JUDGES.

A Superior court was established in Madison county with the act of February 27, 1895, and has been in continuous operation since that date. Upon the creation of the court the Governor appointed William S. Diven as the first Judge to serve until his successor was elected and qualified at the first regular election following the appointment. Henry C. Ryan was the first elective Judge of the Superior court of the county. The successors of Judge Ryan have been as follows: Cassius M. Greenlee, H. Clarence Austill and the present incumbent, Willis S. Ellis.

 MARION COUNTY.

The organization of Marion county was effected by the legislative act of December 31, 1821, the act requiring the organization to be completed by April 1 of the following year. The citizens of Indianapolis had held a meeting in the early part of November, 1821, to discuss the organization of a county and at this meeting James Blake and Dr. S. G. Mitchell were appointed a committee to go to the Legislature, which

was to meet the same month at Corydon, and ask for the passage of an act authorizing the formal organization of the county. The Legislature responded by passing an act on the last day of the year, as above stated. The act provided for the erection of a two-story brick court house, which the state should be allowed to use until it erected a capitol building. For this purpose the state appropriated the sum of eight thousand dollars, with the understanding that the court house was to be used by the state forever for federal and state courts and for fifty years as a meeting place for the Legislature, if the state so desired. It was not known at that time how long it would be before the state would be able to provide a state house and, in fact, it was not until 1835 that a capitol building was ready for occupancy.

The sessions of the court were ordered held at the house of Gen. John Carr pending the erection of the court house. Marion was made a part of the Fifth judicial circuit, which, in 1822, included the counties of Marion, Monroe, Owen, Green, Morgan, Lawrence, Rush, Hendricks, Decatur, Bartholomew, Shelby and Jennings. The first President Judge of the circuit was William W. Wick and he presided over the first session of the circuit in Marion county on September 26, 1822. His Associate Judges were James McIlvain and Eliakim Harding, both of whom had been commissioned by the Governor on April 8, 1822. After the court was organized at the double-log cabin of General Carr, it adjourned to meet at the house of Jacob R. Crumbaugh, located on the southwest corner of Market and Missouri streets. On this first day the court appointed Calvin Fletcher as prosecuting attorney and he served in this capacity until November 8, 1823. There were thirteen lawyers present at the first session of the court and five of them were residents of the county. The second session of the Circuit court met on May 5, 1823, at General Carr's house and then adjourned to Henderson's tavern. The third session (November 3, 1823) again met at the house of Carr—the act organizing the county requiring this—but at once adjourned to the house of Harvey Gregg for the transaction of business. The fourth session (April 12, 1824) adjourned from Carr's house to that of John John-

son. The fifth session (October 11, 1824) found the court house nearly completed and after the court had been convened at the house of Carr, it adjourned to meet in the partially completed building. For nearly fifty years the court continued to hold its regular sessions in the old brick court house. During the erection of the present court house the sessions of the court (May, 1870-July, 1876) were held in a large two-story building on the west side of Delaware street opposite the court house.

It might be mentioned in this connection that the old court house was practically the only public building in town from 1825 to 1835, when the first state house was ready for occupancy. During this decade it was used by the state for legislative and court purposes, and the United States court also held its sessions here. The Legislature appropriated five hundred dollars in 1827 to build a small double-room brick building at the west entrance of the court house square for the use of the clerk of the Supreme court and in this building Henry P. Coburn had charge of affairs until 1850. This building was torn down in 1855 and the clerk's office was removed to the state house. The present court house cost \$1,422,371.79. The past few years have witnessed an agitation to tear down and either rebuild on the same site or move the location to another part of the city.

An act of the Legislature, passed December 31, 1821, the same day the county was organized, attached Marion county to the Fifth circuit with Lawrence, Morgan, Monroe, Owen, Green, Rush, Decatur, Bartholomew, Shelby and Jennings. On January 14, 1824, the Legislature redistricted the whole state and Marion was left again in the Fifth circuit (there were only five circuits in the whole state) with Morgan, Johnson, Shelby, Bartholomew, Decatur, Rush, Henry, Madison, Hamilton and Hendricks. The next act changing the judicial circuits of the state was passed on January 20, 1830. This act divided the state into seven judicial circuits, leaving Marion county in the Fifth with Hendricks, Morgan, Johnson, Bartholomew, Shelby, Hancock, Madison and Hamilton. The act of February 10, 1831, attached Grant county to the Fifth circuit. The next change was made with the act of February

1, 1833, which placed Marion in the Fifth with Hancock, Shelby, Bartholomew, Johnson, Morgan, Hendricks, Boone, Hamilton and Madison. The Legislature redistricted the entire state on February 17, 1838, and constituted the Fifth circuit with Marion, Hancock, Morgan, Hendricks, Boone and Hamilton. The next Legislature (January 28, 1839) added Shelby, Bartholomew and Johnson to the Fifth circuit as established by the act of February 17, 1838. This circuit remained unchanged until March 4, 1852, when it was reorganized to include the counties of Marion, Hancock, Shelby, Bartholomew, Johnson, Hendricks and Morgan.

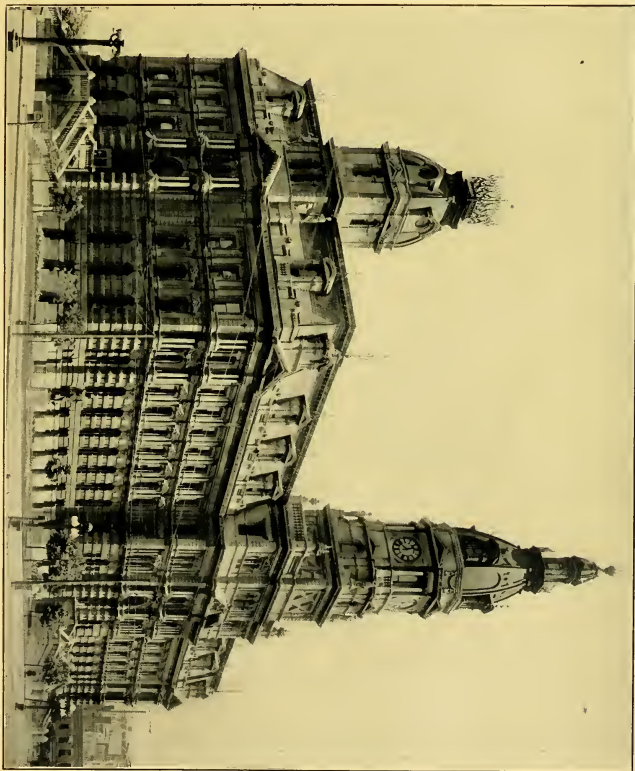
The Constitution of 1816 had provided for a system of Circuit courts, which were to be presided over by what the Legislature chose to call "President Judges," elected by the Legislature for a term of seven years. Each county was to elect two Judges, known as "Associates", who were to preside with the President Judge, and, in his absence, were authorized to hold court themselves. During the period of the old Constitution the following President Judges occupied the circuit to which Marion county was attached:

William W. Wick.....February 7, 1822-January 20, 1825, resigned.
 Bethuel F. Morris....January 20, 1825-November 13, 1834, resigned.
 William W. Wick.....December 4, 1834-August 2, 1839, resigned.
 James MorrisonAugust 2, 1839-August 10, 1842, resigned.
 William QuarlesCommissioned August 15, 1842; did not qualify.
 Stephen Major.....Commissioned September 28, 1842; did not qualify.
 William J. Peaslee ...December 16, 1842-September 17, 1849, resigned.
 William W. WickSeptember 17, 1849-October 12, 1852.

The Associate Judges during this period (1822-52) served in the following order:

James McIlvain.....April 8, 1822-April 25, 1825, resigned.
 Eliakim Harding.....April 8, 1822-December 15, 1826, resigned.
 George SmithAugust 8, 1825-April 8, 1836.
 James McIlvainFebruary 12, 1827-April 8, 1829.
 Joshua Stevers.....April 8, 1829-April 8, 1836.
 Adam WrightApril 8, 1836-April 8, 1850.
 Thomas O'Neal.....April 8, 1836-April 8, 1843.
 Daniel R. Smith.....April 8, 1843-October 12, 1852.
 Samuel Cory.....April 8, 1843-October 12, 1852.

MADISON COUNTY COURT HOUSE



The legislative act of June 17, 1852, divided the state into ten judicial circuits and placed Marion county in the Fifth circuit with Johnson, Hendricks, Hancock, Hamilton, Tipton and Madison counties. Marion county continued in the Fifth circuit, as defined in 1852, until the act of February 20, 1867, reorganized the Fifth circuit out of the counties of Marion, Hendricks and Johnson, the latter county being detached by the act of April 29, 1869. The act of March 6, 1873, constituted Marion and Hendricks counties the Nineteenth circuit. February 28, 1889, Marion county was constituted the sole county in the Nineteenth circuit, Hendricks being organized as the Fifty-fifth circuit. No change has been made in the circuit since that time.

The Judges of the Marion Circuit court since 1852 have served in the following order:

William W. Wick.....October 12, 1852-May 1, 1853, resigned.
 Stephen Major.....May 1, 1853-September 5, 1859.
 William W. Wick.....September 5, 1859-October 24, 1859, resigned.
 Fabius M. Finch.....October 24, 1859-October 27, 1865.
 John CoburnOctober 27, 1865-September 24, 1866, resigned.
 John T. Dye.....September 24, 1866-November 3, 1866.
 Cyrus C. Hines.....November 3, 1866-November 5, 1870.
 John S. Tarkington...November 5, 1870-October 26, 1872, resigned.
 Livingston Howland...October 26, 1872-December 28, 1876, resigned.
 Jacob B. Julian.....December 28, 1876-October 14, 1878.
 Joshua G. Adams.....October 14, 1878-October 14, 1884.
 Alexander C. Ayres...October 14, 1884-October 14, 1890.
 Edgar A. Brown.....October 14, 1890-November 11, 1896.
 Henry Clay Allen.....November 11, 1896-November 11, 1908.
 Charles Remster.....November 11, 1908-November 11, 1914.
 Louis B. Ewbank.....November 11, 1914; term expires November 11, 1920.

The prosecuting attorneys from 1822 to 1852 of the circuit to which Marion has been attached follow:

Calvin Fletcher.....September 26, 1822-November 8, 1823.
 Harvey GreggNovember 8, 1823-August 9, 1825.
 Calvin Fletcher.....August 9, 1825-August 28, 1826.
 James Whitcomb.....August 28, 1826-January 14, 1829.
 William W. Wick.....January 14, 1829-January 14, 1831.
 William Brown.....January 14, 1831-January 14, 1833.
 William Herod.....January 14, 1833-December 11, 1838.

William Quarles.....December 11, 1838-April 13, 1839.
 William J. Peaslee....April 13, 1839-January 25, 1841.
 Hugh O'NealJanuary 29, 1841-January 29, 1843.
 Abram A. Hammond...January 29, 1843-January 29, 1847.
 Edward LanderJanuary 29, 1847-August 27, 1851.
 David S. Gooding.....August 27, 1851-October 12, 1852.

The new Constitution went into effect on October 12, 1852:

Reuben A. Riley.....October 12, 1852-October 27, 1854.
 De Witt C. Chapman...October 27, 1854-November 2, 1856.
 Peter S. Kennedy.....November 2, 1856-November 2, 1858.
 William P. Fishback...November 2, 1858-October 4, 1862, resigned.
 William W. Leathers...October 4, 1862-December 27, 1865.

An act of the Legislature passed December 20, 1865, created a Criminal court for Marion county and provided that the prosecutor of the Circuit court should act in a similar capacity for the Criminal court. This provision was changed by the act of 1873, which provided for separate prosecutors for each court. The attorneys who served both courts were as follows:

William W. Leathers...December 27, 1865-November 25, 1867.
 John S. Duncan.....November 25, 1867-November 3, 1870.
 Henry C. Guffin.....November 3, 1870-November 3, 1872.
 Robert P. Parker.....November 3, 1872-November 3, 1874.

From October 26, 1874, to November 17, 1882, the following prosecutors were attached to the Circuit court:

Johu DentonOctober 26, 1874-October 26, 1876; no Criminal.
 Joshua G. Adams.....October 26, 1876-October 26, 1878.
 Richard B. Blake.....October 26, 1876-October 26, 1880.
 Newtou M. Taylor...October 26, 1880-November 27, 1882.

The act of April 12, 1881, provided for one prosecutor for both the Circuit and Criminal courts and this arrangement is still in operation. The prosecutors since that time are as follows:

William T. Brown....November 17, 1882-November 17, 1884.
 W. N. Harding.....November 17, 1884-November 17, 1886.
 James L. Mitchell....November 17, 1886-November 17, 1890.
 John W. Holtzman....November 17, 1890-November 17, 1894.
 Charles S. Wiltsie....November 17, 1894-November 17, 1898.
 Edwin B. Pugh.....November 17, 1898-November 17, 1900.
 Johu C. Ruckelshaus..November 17, 1900-January 1, 1905.

Charles P. Benedict...January 1, 1905-January 1, 1907.
 Elliott R. Hooton.....January 1, 1907-January 1, 1911.
 Frank P. Baker.....January 1, 1911-January 1, 1915.
 Alvah J. Rucker.....January 1, 1915-January 1, 1917.

COMMON PLEAS COURT.

The Indianapolis bar came to the conclusion in 1849 that the Circuit court needed more assistance than that provided by the Probate court, and accordingly decided to ask the Legislature to pass an act creating a Common Pleas court. The previous year such a court had been established in Tippecanoe county and this fact undoubtedly influenced the action of the bar of Marion county. Oliver H. Smith was delegated to prepare a bill for the Legislature asking for the establishment of the Common Pleas court. The Legislature responded by passing the act of January 4, 1849, which created a Common Pleas court for Marion county. The Governor appointed Abram A. Hammond, later lieutenant-governor of the state, as the first Judge of the newly organized court. The act establishing the court provided that the Judge should also act as clerk of the court, the two offices being combined in order to make the office sufficiently attractive from a financial standpoint to attract good men. Judge Hammond was commissioned by the Governor on January 12, 1849, and sat on the bench until he resigned, on March 20, 1850, to go to California. The Governor appointed Edward Lander to the Bench on March 26, 1850, and he held the office until it was abolished by the act of January 12, 1852. The act of May 14, 1852, created a new system of Common Pleas courts for the whole state, dividing it into forty-four districts for common pleas purposes.

Under the new system Marion was united with Boone and Hendricks counties. The Judges of this court during the time it was in existence (1852-1873) were as follows :

Levi L. Todd.....October 26, 1852-October 29, 1856.
 David Wallace.....October 29, 1856-September 4, 1859.
 John Coburn.....October 24, 1859-September 20, 1860, resigned.
 Charles A. Ray.....Appointed September 30, 1860-December 7, 1864,
 resigned.

Solomon Blair-----December 13, 1864-March 3, 1871, resigned.
 Livingston Howland---March 3, 1871-October 24, 1872.
 William Irwin-----October 24, 1872-March 6, 1873.

The act creating the Common Pleas court provided for a prosecuting attorney for the court who was known as a district prosecutor. During the twenty-one years the court was in existence the following prosecutors were attached to the court:

John T. Morrison-----October 25, 1852-October 24, 1854.
 Jonathan W. Gordon---October 24, 1854-January 30, 1856, resigned.
 Richard J. Ryan-----January 30, 1856-October 28, 1856.
 John S. Tarkington---October 28, 1856-October 28, 1858.
 James N. Sweetzer---October 28, 1858-October 26, 1880.
 John C. Buffkin-----October 26, 1860-November 1, 1864.
 William W. Woollen---November 1, 1864-November 2, 1868.
 William Irwin-----November 2, 1868-November 2, 1870.
 David V. Burns-----November 2, 1870-November 2, 1872.
 Robert E. Smith-----November 2, 1872; served until the court was abolished in 1873.

JUVENILE COURT.

The Marion county Juvenile court, the only court of its kind in the state, was created by the General Assembly with the act of March 10, 1903. Since the court was established, additional acts have been passed increasing its powers until at the present time it is known as the Juvenile and Domestic Relations court. It was the original intention to establish a purely Juvenile court, and the act of March 10, 1903, created it as "A special court, to be known as the Juvenile court, which shall have jurisdiction of all cases relating to children, including juvenile delinquents, truants, children petitioned for by boards of children's guardians, and of all other cases where the custody of legal punishment of children is in question."

The good work of the court was soon recognized and the Legislature was asked to grant it further powers. The act of March 6, 1905, gave the court exclusive jurisdiction to try all cases against parents and all other adults for contributing to the delinquency of children. The act of February 23, 1907, added to its original powers the exclusive jurisdiction of all

cases against parents and other adults for the abandonment, nonsupport, or neglect of children in their custody, together with power to enforce the proper support of children by parents, or to take children away from drunken, depraved or vicious parents, if necessary. In case parents are separated, the court was granted the power to decide which parent, if either, should be given the custody of the children. The act of 1907 also gave the court jurisdiction over all homeless, abandoned, destitute and dependent children, as well as those taken from vicious parents. The court was given the power to take children from parents in private homes or in public or private children's institutions at the expense of the county.

It is evident from this summary of the scope of the work of the court, that it has jurisdiction of nearly all controversies arising out of domestic relations with the exception of divorces and alimony. As a matter of fact, more than half the time of the court is devoted to the trial and adjustment of cases between or against parents and other adults.

The nature of the work done by the Juvenile court is strikingly set forth in its annual report for the year ending April 1, 1916. During the twelve months preceding, the court had handled delinquent children cases to the number of 470, and a total of 306 dependent children appeared in person before the court in the same time. The greater number of girls who appeared before the court were from fourteen to sixteen years of age, inclusive, fifty-seven girls of that age having come before the Judge during the past year. The boys reach the age of fourteen before they need the restraining power of the court; seventy-two of that age appeared during the twelve months prior to April 1, 1916. There were fifty-four boys thirteen years of age and fifty twelve years of age called before the court. Four hundred and five of the children charged with delinquency were of American parentage. Of the total number, 421 were rated as having normal intelligence and only eight were classed as dull. Physically, 422 were considered normal and seven below normal.

Another classification of the children pertains to the character of their home life. To follow the report of Judge Lahr,

the rating of the homes of the children is as follows: Good, 34; fair, 137; bad, 171; unknown, 71. The education of the children is shown by the grades they were attached to in school, namely: High school, 16; eighth grade, 36; seventh grade, 62; sixth grade, 77; fifth grade, 85; fourth grade, 35; third grade, 34; second grade, 9; first grade, 4. Various charges were preferred against the children, among them being the following: Larceny, 184; truancy, 125; incorrigibility, 55; immorality, 31; loitering, 19; embezzlement or forgery, 11; trespass, 8.

Causes of all kinds were assigned to explain the appearance of the children in court. By far the largest number were there because of a lack of parental control, no less than 250 cases coming under this class. Bad associates accounted for 29; criminal tendencies, 5; truancy, 85; miscellaneous, 56. Thirty-five boys were sent to the Indiana Boys' School and twenty to the Indiana Girls' School. One hundred and twenty-one cases were continued indefinitely, the total number under probation on April 1, 1916, being 294. The following dispositions were made of the remainder during the past year: Discharged, 8; sentence suspended, 45; judgment withheld, 118; placed under probation, 65. The Juvenile court at the time of its report had 226 probation officers connected with it.

There have been three Juvenile Judges since the court was established March 10, 1903, namely: George W. Stubbs, Newton M. Taylor and Frank J. Lahr. Judge Stubbs was appointed March 10, 1903, as the first Judge of the court and served until his untimely death in a street car accident, March 4, 1911. He was the founder of the Marion county Juvenile and Domestic Relations court and was largely responsible for the great good that the court is now performing for the city of Indianapolis. He wrote or at least suggested the various laws which were passed to give the court its present jurisdiction. In other words, he blazed the way and worked out a system of handling children and their parents, which has proven very successful. This kindly, genial man, by his wholesome advice and admonition, started hundreds of wayward and delinquent boys and girls on the road to upright and

useful manhood and womanhood. His appeals to drunken and dissolute fathers and mothers brought happiness to many a home in Indianapolis. Yet, if the milk of human kindness failed to bring about the proper results, he did not shirk from sending recreant fathers to the workhouse or vicious mothers to a place where they would not have the opportunity to injure their children. He was always looking out for the welfare of the child, and many children now living in the city have been rescued from vicious, immoral and drunken parents and placed in surroundings where they might have a fair chance to become useful citizens. He returned to their homes many runaway or vagrant children each year, sending them either to their own homes or intrusting them to the care of some children's institutions. Sick and afflicted children were given needed medical attention abandoned children were properly cared for. In fact, it is impossible to estimate the good which this man did for the children of the city.

His two successors have continued in the path as laid down by Judge Stubbs, and, it may be said, have added new features to the work of the court to make it still more useful. Judge Taylor served from March 8, 1911, to November 10, 1914, at which time Frank J. Lahr, the present Judge of the court, took the bench. Judge Lahr is exercising the same wise and kind surveillance over the wayward children and misguided parents which characterized his predecessors. The influence of the court for good is constantly increasing and its usefulness is now recognized by all the citizens of Indianapolis.

At the present time the Juvenile court functions in one sense as a court of domestic relations, but it has no power to try divorce cases, its work being confined to efforts to reconcile estranged parents, or compel the father to support the family. With the rapid increase of divorces in the county it seems that it will soon be necessary to establish a separate Court of Domestic Relations, and the five Superior Judges have already taken steps toward bringing it about. It has been proposed by the Superior Judges that each of them sit one month each year to hear divorce cases and others involving questions of domestic relations. Should this plan be car-

ried out, it will be the first step toward the organization of a formal Court of Domestic Relations.

PROBATE COURT.

The Probate court of Marion county was created by the act of the General Assembly approved March 9, 1907. This act provided for Probate courts in all counties of the state with a city of not less than one hundred thousand inhabitants according to the last preceding United States census. The population provision made it possible for only one county—Marion—to have a Probate court. In accordance with the provisions of this act, Governor Hanly appointed Merle N. A. Walker the first Judge of the newly created court. The court was organized and the first order book entry made on March 13, 1907. The Judges of this court since its establishment have been as follows:

Merle N. A. Walker...March 13, 1907-January 1, 1909.

Frank B. Ross.....January 1, 1909-January 1, 1915.

Mahlon E. Bash.....January 1, 1915; term expires January 1, 1919.

SUPERIOR COURT.

The legislative act of February 15, 1871, provided for a Superior court for Marion county, to be presided over by three separate Judges. Pursuant to this act, the Governor appointed, on February 25, 1871, three Judges to preside over the court, namely: Frederick Rand, Solomon Blair and Horatio C. Newcomb. The first session of the Superior court convened March 6, 1871. The divisions of the Superior court were not known as "rooms" until the act of 1907 so designated them. However, for the purpose of listing the Judges, they are given in the following tables by rooms from the time the court was first established.

ROOM ONE

Fredrick Rand.....February 25, 1871-August 24, 1872. resigned.

Samuel E. Perkins....August 24, 1872-January 1, 1877, resigned to accept place on Supreme bench to which he was elected in October, 1876.

John A. Holman.....January 1, 1877-November 20, 1882.

Napoleon B. Taylor...November 20, 1882-August 14, 1893, died in office.



John Caburny

James M. Winters.....Appointed August 21, 1893-November 20, 1894.
 James L. McMaster...November 20, 1894-November 20, 1910.
 Charles J. Orbison....November 20, 1910-November 20, 1914.
 William W. Thornton...November 20, 1914; term expires November 20,
 1918.

ROOM TWO

Solomon BlairMarch 3, 1871-November 3, 1876.
 Daniel W. Howe.....November 3, 1876-November 18, 1890.
 James W. Harper.....November 18, 1890-November 18, 1894.
 Lawson M. Harvey....November 18, 1894-November 18, 1898.
 James M. Leathers....November 18, 1898-November 10, 1910.
 Joseph CollierNovember 19, 1910-November 18, 1914.
 Linn D. Hay.....November 18, 1914; term expires November 18,
 1918.

ROOM THREE

Horatio C. Newcomb...February 25, 1871-September 18, 1876.
 Harry M. Burns.....September 19, 1876-October 24, 1876.
 Byron K. Elliott.....October 24, 1876-October 27, 1880.
 Lewis C. Walker.....October 27, 1880-October 27, 1892.
 Pliny W. Bartholomew...October 27, 1892-October 27, 1896.
 Vinson Carter.....October 27, 1896; resigned September 5, 1912.
 John J. Rochford.....September 5, 1912; term expires November, 1918.

The term for which Judge Rochford was elected would have expired in October, 1916, but the Legislature, by the act of February 12, 1913, added two years to the term for which he was elected, thereby extending it to the November, 1918, election. It was the intention of the Legislature to make the election of all the Superior Judges of the county take place at the same time, the other four Judges, having taken office in November, 1914. Judge Rochford was elected to the bench for a term of four years in November, 1911, but owing to the fact that Judge Carter resigned, to take effect on September 5, 1912, Judge Rochford began his term about a month earlier than his commission called for. There has been some contention to the effect that the law extending the term of Judge Rochford was unconstitutional on the ground that it is in conflict with Article XV, Section 2, of the Constitution of the state. A decision of the Supreme court of Indiana in the case of the State vs. Mount (151 Ind.), would seem to deny the right of the Legislature to pass such a law. According to this decision, "The Legislature cannot extend

the duration of an office and then provide that the person holding such office shall continue therein for a time beyond the period fixed by law for holding a general election." However, this contention would open up a legal controversy since another court has held that "the Legislature may change the time for electing officers created by statute and thereby extend the terms of such officers beyond the period of four years." The probability is that the legislative act extending the term of Judge Rochford will not be carried to the courts to test its constitutionality.

ROOM FOUR

(Under act of March 5, 1877)

Myron B. Williams.....Appointed March 10, 1877-October 28, 1878.

David V. Burns.....October 28, 1878-May 31, 1879.

(Under act of March 9, 1907)

Lawson M. Harvey.....Appointed March, 1907-November 12, 1907.

Clarence E. Weir.....November 12, 1908-December 1, 1914.

Vincent G. Clifford.....December 1, 1914; term expires December 1, 1918.

Room Four, Superior court of Marion county, was created by the legislative act of March 5, 1877, and Governor Williams appointed Myron B. Williams, on March 10, 1877, to serve until the first regular election. David V. Burns was elected in October, 1878, and took the bench on the 28th of the same month, but he served less than a year owing to an unusual circumstance which arose shortly after he ascended the bench. It is probable that no other court in Indiana has ever been abolished for a similar reason.

During a trial of cause in the court of Judge Burns, Warren Tate shot, in the corridor of the court house, a man by the name of Love. Judge Burns considered this an act in contempt of court and fined Tate the sum of ten thousand dollars. Tate made every effort to have the fine reduced, but Judge Burns refused to do so. Determined to have satisfaction of some kind, Tate, who seemed to have been a very influential man, retaliated by having Room Four abolished by the Legislature in 1879. The court expired by limitation on May 31, 1879.

The present Room Four was established by the legislative act of March 9, 1907, the same act also creating Room Five.

Governor Hanly appointed Lawson M. Harvey as Judge of Room Four until the first regular election. He was succeeded by Clarence E. Weir, November 2, 1908, who served until December 1, 1914. Vincent G. Clifford, the present incumbent, assumed the bench on December 1, 1914, for a term of four years.

ROOM FIVE

The act of March 9, 1907, established Superior court room Number Five, and it continued without change until the act of March 1, 1911, made it a joint court with the newly created Shelby Superior court. The constitutionality of this act was questioned, but the Supreme court decided (176 Ind. 182) that it was constitutional. The act of 1911 extended the term of the court from 1912 to 1914. The Legislature, by the act of January 29, 1913, dissolved the Marion-Shelby Superior court, leaving the Marion Superior court, Room Five, as established by the act of March 9, 1907. The following Judges have filled the bench of this court since its organization:

Charles T. Hanna.....April 12, 1907-November 12, 1908.

Pliny W. Bartholomew.....November 12, 1908-December 1, 1914.

Theophilus J. Moll.....December 1, 1914; term expires December 1, 1918.

CRIMINAL COURT.

The Marion county Criminal court came into existence as a result of the legislative act of December 20, 1865, which provided for the establishment of Criminal courts in all counties of the state having at least ten thousand voters. Pursuant to this act, a Criminal court was at once established in Marion county and within the next four years eight other counties were provided with such a court. Allen, Tippecanoe and Wayne established criminal courts in 1867; Vanderburg in 1868; Vigo, Jefferson and Floyd-Clark Criminal courts in 1869. All of the Criminal courts outside of Marion county have long since been abolished, the history of these several courts being given in the various counties in which they were established.

The constitutionality of the act establishing a Criminal court was attacked, but the act was upheld by the Supreme court of the state. Governor Morton, on December 27, 1867,

appointed George H. Chapman as the first Judge of the newly organized court in Marion County and on the same day appointed William W. Leathers as prosecuting attorney for the court. The Judges of the Criminal court since the time of its organization are as follow :

George H. Chapman----Appointed December 27, 1867-October 24, 1870.
 Byron K. Elliott-----October 24, 1870-November 16, 1872.
 Charles H. Test-----November 16, 1872-October 22, 1874.
 Edward C. Buskirk----October 22, 1874-October 23, 1878.
 James E. Heller-----October 23, 1878-October 24, 1886.
 Pierce Norton-----October 24, 1882-November 15, 1886.
 Albert F. Ayres-----November 15, 1886-January 18, 1887.
 William Irwin-----January 18, 1887-November 15, 1890.
 Millard F. Cox-----November 15, 1890-November 15, 1894.
 John Franklin McCray_ November 15, 1894-November 15, 1898.
 Fremont Alford-----November 15, 1898-November 17, 1906.
 James A. Pritchard___November 17, 1906-November 17, 1910.
 Joseph T. Markey-----November 17, 1910-January 1, 1915.
 James A. Collins-----January 1, 1915; term expires January 1, 1919.

The Criminal court of Marion county now has been in continuous operation for more than fifty years and during that time many changes have been made in handling the cases which come before it for disposal. Efficient as the court has become, there is still room for improvement, and Judge James A. Collins, the present incumbent of the office, in his annual report for 1915, has given to the public a number of recommendations, which, if enacted into suitable legislation, will render the court a more useful body. In his annual report for 1915 Judge Collins suggests five changes for the improvement of the court. Briefly summarized, they are as follows :

1. An amendment to the suspended sentence law that will give the Judge power to appoint a probation officer to have supervision over all persons released either on a suspended sentence or in cases where sentence is withheld.
2. A law which will provide for medical examination and supervision of defectives.
3. A parole law for misdemeanants committed to the Indiana state penal farm.

4. The abolishment of the minimum term, and provision made that all persons convicted of felony shall be eligible for parole within the first year of their incarceration, excepting for the crimes of murder, arson, burglary, rape, treason and kidnapping.
5. An adequate salary for the attorney for the poor. The present salary is six hundred dollars, and this should be increased to twelve hundred dollars. The attorney for the poor should be required to give all of his attention to the cases assigned to him. The public should have as much at stake in the proper defense of its delinquents as it has in their prosecution.

At the beginning of 1915 Judge Collins appointed Dr. Earl B. Rinker assistant bailiff of the court and gave him instructions to make examinations and report to the court as to the physical condition of all persons charged with crime and held in custody at the county jail. Dr. Rinker found that about sixty per cent. of the persons examined were far below normal. Judge Collins recommends the abolishment of the Marion county workhouse. As a matter of fact, only one person was committed to the workhouse in 1915 after the opening of the state penal farm on April 12.

During 1915 there were only fifteen changes of venue taken, the most important of them being the cases involving election frauds. These cases were tried before Judge William H. Eichhorn, of the Wells and Blackford circuit. One defendant was tried and acquitted after a trial lasting nearly two months.

When Judge Collins took the bench on January 1, 1915, there were 329 cases pending in the court. In the course of the year there was a total of 1,969 cases filed, making 2,278 cases to be tried. Two thousand four hundred and fourteen defendants were involved in these cases; 1,523 cases were disposed of, and 554 transferred to the term beginning January 1, 1916. The disposition of these cases shows that 355 persons were committed to penal institutions and two were sentenced to death; eight cases were appealed to the Supreme court of Indiana and of these, six were still pending on Janu-

ary 1, 1916. Of the two appeals passed on, one was affirmed and the other reversed. Judgment was suspended in forty-four cases and judgment withheld in eighty-four. Of the judgments suspended in 1914, three were revoked in 1915 and the defendants committed to penal institutions. In no instance where the judgment was withheld was a single defendant brought before the court for any subsequent offense. A total of eighty-one defendants arrested and held in jail to await the action of the grand jury were released on their own recognizance and in only two instances was the confidence of the court violated.

EXPENDITURES FOR JUDICIAL PURPOSES IN 1915.

Marion county supports nine courts, namely: One Circuit court, one Juvenile court, one Criminal court, one Probate court and five Superior courts. For the maintenance of these nine courts the county expended \$120,399.87 in 1915. The Criminal court cost the county nearly a third of this amount and the Juvenile court came next in order of expenditure. It is very evident that the cost of the Criminal court should be the most, since it handles by far the largest number of cases and keeps a grand jury on duty practically the entire year. No less than 1,959 cases were filed in the Criminal court in 1915, the previous year leaving 329 additional cases on the docket. The new cases filed in 1915 involved more than 2,200 persons. In the other courts, excepting the Probate court, the average number of cases filed during the year total about 800. The number of cases in the Probate court is large because of the many small cases filed for settlement. The itemized costs of the various county courts for 1915 follow: Criminal court, \$43,536.32; Juvenile court, \$17,419.85; Probate court, \$10,167.25; Circuit court, \$7,984.40; Superior court, Room 1, \$8,383.94; Superior court, Room 2, \$8,503.67; Superior court, Room 3, \$8,370.44; Superior court, Room 4, \$8,282.10; Superior court, Room 5, \$7,751.90.

MARSHALL COUNTY.

Marshall county was organized by the Legislature, February 4, 1836, and began its career as an independent county

on the 1st of the following April. Plymouth was chosen the county seat by the locating commissioners and no other town in the county has ever been considered for the honor. The first Circuit court met on October 25, 1836, with Samuel C. Sample as President Judge and Peter Schroeder and Sidney Williams as Associate Judges. These three, together with Joseph L. Jernegan, the prosecuting attorney, constituted the first judicial body which met in Marshall county. The first session was held at the house of Grove Pomeroy and continued two days. The first attorney to be admitted to the local bar was Gustavus A. Everts, who, strange to say, himself made the motion for his own admission to the bar.

ASSOCIATE JUDGES.

Peter Schroeder..... April 29, 1836, to serve seven years from date.
 Sidney Williams..... April 29, 1836, to serve seven years from date;
 resigned, October, 1838.
 David Steel..... January 2, 1839 (special election), vice Sidney
 Williams (resigned), to serve seven years from
 April 29, 1836.
 David Steel..... August 12, 1842, to serve seven years from April
 29, 1843.
 Samuel D. Tabor..... August 12, 1842, to serve seven years from April
 29, 1843.
 David Steel..... August 21, 1849, to serve seven years from April
 29, 1850.
 Elias Jacoby..... August 21, 1849, to serve seven years from April
 29, 1850.

PROBATE JUDGES.

Grove Pomeroy..... August 27, 1836, to serve seven years from date.
 Gilson S. Cleveland.... August 17, 1840
 Austin Fuller..... August 14, 1843.
 James A. Coarse..... September 4, 1850.

COMMON PLEAS JUDGES.

Elisha Egbert..... 1852-70; died in office.
 Edward J. Wood..... Appointed 1870-72.
 Daniel Noyes 1872-73.

DISTRICT PROSECUTING ATTORNEYS.

Horace Corbin 1852-54. resigned.
 James L. Foster..... Appointed February 10, 1854.
 Joseph Henderson..... 1854-56.
 Andrew Anderson..... 1856-57, resigned.
 Charles H. Reeve..... Appointed November 12, 1857.

Reuben L. Farnsworth. Appointed December 31, 1857-58.
 Amasa Johnson-----1858-60, resigned.
 Charles P. Jacobs-----1860-62.
 William Andrews-----1862-68.
 Joseph B. Arnold-----1868-70, resigned.
 Orville T. Chamberlain. Appointed July 15, 1870.
 William B. Hess-----1870-72.
 George Ford-----1872-73.

PRESIDENT JUDGES.

Gustavus A. Everts----April 1, 1836-July 5, 1836, resigned. Eighth circuit.
 Samuel C. Sample-----Appointed July 5, 1836-August 8, 1843, resigned.
 The act of December 10, 1836, put Marshall in the
 newly created Ninth and Sample was transferred
 with it.
 John B. Niles-----Appointed August 8, 1843-December 1, 1843.
 Eben. M. Chamberlain. December 1, 1843; resigned in August, 1852.
 Robert Lowry-----Appointed August 28, 1852-October 12, 1852.

CIRCUIT JUDGES.

Thomas S. Stanfield---October 12, 1852; resigned February 23, 1857.
 Ninth circuit.
 Albert G. David-----Appointed February 23, 1857-November 17, 1857.
 Andrew L. Osborn-----November 17, 1857-October 24, 1870.
 Thomas S. Stanfield---October 24, 1870-March 6, 1873. The act of March
 6, 1873, put Marshall in the newly created Thirty-
 third.
 Ellsha V. Long-----Appointed March 17, 1873-March 9, 1875. The
 act of March 9, 1875, put Marshall in the newly
 created Forty-first with Fulton, where they have
 since remained.
 Horace Corbin-----Appointed March 9, 1875-October 24, 1876.
 Sidney Keith-----October 24, 1876-November 15, 1882.
 Jacob S. Slick-----November 15, 1882-March 8, 1883, resigned.
 William B. Hess-----Appointed March 8, 1883-November 14, 1884.
 Isaiah Conner-----November 14, 1884-November 14, 1890.
 Albertus C. Capron---November 14, 1890-November 14, 1902.
 Harry Bernetha-----November 14, 1902-November 14, 1914.
 Smith N. Stevens----November 14, 1914; term expires November 14,
 1920.

PROSECUTING ATTORNEYS.

Samuel C. Sample----April 1, 1836-July 5, 1836, resigned. Eighth circuit.
 Joseph L. Jernegan---Appointed July 5, 1836-August 15, 1838, resigned.
 The act of December 10, 1836, put Marshall in the
 Ninth and transferred Jernegan from the Eighth
 to the Ninth.
 John B. Niles-----Appointed August 15, 1838-December 7, 1838.

- William C. Hanna----December 7, 1838-December 15, 1842.
- Eben. M. Chamberlain--December 15, 1842-September 19, 1843, resigned.
- Reuhen L. Farnsworth--September 19, 1843-April 13, 1846, removed from state.
- Johnson Horrell-----Appointed September 19, 1845; failed to file with secretary of state his bond and oath of office. His commission returned April 28, 1846, Farnsworth not vacating his office.
- James Bradley-----Appointed April 13, 1846-August 25, 1846, vice Farnsworth, removed from state, and Horrell, who failed to file with secretary of state his bond and oath of office.
- Joseph H. Mather----Appointed August 25, 1846-August 25, 1848.
- James S. Frazer-----August 28, 1851-October 12, 1852.
- D. J. Woodward-----October 12, 1852-November 7, 1854. Ninth circuit.
- Morgan H. Weir-----November 7, 1854-October 3, 1856, resigned.
- Reuben L. Farnsworth--Appointed October 3, 1856-October 30, 1856.
- Mark S. Dumont-----October 30, 1856-November 15, 1858.
- William B. Biddle----November 15, 1859-November 15, 1860.
- David T. Phillips----November 15, 1860-November 15, 1864.
- Aaron G. Guiney-----November 15, 1864-November 15, 1866.
- William H. Calkins----November 15, 1866-November 15, 1870.
- Michael L. Essick----November 15, 1870-November 15, 1872.
- Thomas I. Wood-----November 15, 1872-October 26, 1874. The act of March 6, 1873, put Marshall in the newly created Thirty-third, and transferred Wood to the Thirty-third from the Ninth.
- Perry O. Jones-----October 26, 1874-October 24, 1878. The act of March 9, 1875, put Marshall in the newly created Forty-first with Fulton, where they have since remained. This act transferred Jones from the Thirty-third to the Forty-first.
- Baron D. Crawford---October 24, 1878-November 17, 1882.
- Elijah B. Martindale--November 17, 1882-November 17, 1886.
- Charles P. Drummond--November 17, 1886-November 17, 1890.
- Smith Ney Stevens---November 17, 1890-November 17, 1894.
- J. K. Houghton-----November 17, 1894-November 17, 1896.
- Harry Bernetha-----November 17, 1896-January 1, 1901.
- Arthur Metzler-----January 1, 1901-January 1, 1901.
- Samuel J. Hayes-----January 1, 1905-January 1, 1907.
- John A. Molter-----January 1, 1907-January 1, 1909.
- Henry L. Unger-----January 1, 1909-January 1, 1913.
- Delph L. McKessen----January 1, 1913; term expires January 1, 1917.

MARTIN COUNTY.

Martin county was organized by an act of the Legislature, January 17, 1820, and the act went into effect on the first of the following month. Martin county holds the record for the greatest number of county seat changes. It seems that the citizens of the county have been hard to satisfy. When they failed to change the location of a county seat, they did the next best thing, and changed the name of the town where the county seat was located. No less than three times has the name of the county seat been changed. The first town to have the honor was Hindostan, and here the contract for a \$4,185 court house was let to Benjamin Adams on June 5, 1820. This building was not yet completed when the county seat was changed. Dissatisfaction with Hindostan led to the legislative act of January 24, 1828, which authorized five commissioners, named in the act, to meet at Hindostan, March 14, 1828, to select a new county seat. Four of these commissioners, William Hoggatt, Simon Morgan, John Murphy and Friend Spiers, met at the appointed time and, after due deliberation and consideration, chose Mount Pleasant. This town was about two miles north of Hindostan on the west side of the East Fork of White river. On July 7, 1828, it was ordered that the county clerk and treasurer remove their offices to Mount Pleasant immediately. The board of commissioners met for the first time at the new seat of justice on September 1, 1828.

But Mount Pleasant was too far from the center of the county to give general satisfaction, especially, since the county gained rapidly in population in the next fifteen years. The friends of relocation had sufficient influence by 1844 to get the Legislature on January 13 of that year, to pass an act providing for relocation. The locating commissioners were ordered to meet at Dougherty's Shoals on the first Monday of March, 1844. They were restricted by the Legislature from selecting any site more than three and one-half miles from the center of the county. On March 8, they reported to the Martin county board of commissioners that they had located the new seat of justice at Halberts Bluffs, and that land had

been donated there for the county seat by Clement Horsey. This third county seat was located at the present site of Shoals on the west side of the river. The site was at once platted by Mason J. Sherman and the plat was recorded May 29, 1844, under the name of Memphis. For some reason, which has not been ascertained, there was so much dissatisfaction with the new site that the whole town site was sold back to the donor before the summer was over and before any county buildings were erected. It is not certain that court was ever held at Memphis; it is certain that some time during the fall of 1844 the county seat was removed to Harrisonville, near the site of Trinity Springs.

Four towns had in turn been the county seat up to this time, and yet the citizens were not satisfied. Again the Legislature was called upon and for the third time passed an act to relocate the Martin county seat. This act of January 11, 1845, provided for an election to be held the first Monday in March following to settle the question of relocation. The result of the election has not been ascertained, but it is certain that it was voted to relocate. The legislative act further provided that if a majority should be in favor of relocation, a second election should be held on the first Monday of April, 1845, to select one commissioner from each of the townships in the county to relocate the seat of justice. This second election was hold at the appointed time and on May 2, 1845, the commissioners so elected met at Harrisonville, and reported to the county commissioners that on April 30, 1845, they had located the county seat in section 1, township 3 north, range 4 west. The new site was located "within one mile and a half of the geographical center of the county," pursuant to the recommendation of the legislative act. The land for the new seat of justice was donated and immediately platted under the name of Hillsborough. But although the citizens seemed satisfied with the new location, they soon tired of its name, and were not quieted until the legislative act of February 11, 1848, changed it to Dover Hill.

According to the provision of the legislative act, the county seat was temporarily located at Mount Pleasant while the county buildings were being built at Hillsborough. The first

meeting of the county board of commissioners was held in the new court house at Hillsborough on September 7, 1846. But the end was not yet. Harrisonville had been seriously considered for the county seat several times, and from the best evidence at hand, the seat of justice had been taken there from Memphis in the fall of 1844, and had remained there until the act of January 11, 1845, ordered it removed to Mount Pleasant pending the erection of the county buildings at Hillsborough. The Harrisonville advocates had sufficient influence to get the Legislature to pass an act on February 13, 1851, providing for a referendum on the subject. The act was not passed without the Dover Hill adherents making a strenuous opposition, the act stating that "remonstrances of sundry other citizens of said county have been presented to the General Assembly remonstrating against the removal of the said county seat." The act left the power of calling the election to the board of commissioners and the record shows that they refused to call the election.

For fifteen years the county seat question lay dormant, but the fact that Dover Hill was three miles from a railroad finally brought its downfall as a county seat. The Ohio & Mississippi railroad was built through the county from east to west in 1856, and as the citizens saw the great advantage of having their county seat on the railroad, an agitation was started to make the sixth change. The legislative acts of March 2, 1855, and December 22, 1858, had placed the power of making county seat changes largely in the hands of the county commissioners. These acts provided for a change upon the petition of two-thirds of the citizens of the county. On September 7, 1866, such a petition was presented to the commissioners praying for the removal of the county seat from Dover to Memphis. Memphis had been selected as the county seat in 1844, only to lose the honor the same year. Now, however, the new railroad ran through the place, and this fact, together with its central location on the East fork of White river, made it the most desirable site in the county. There must have been some shrewd wire pulling about this time, for a year later, on September 23, 1867, the board of commissioners ordered the county seat moved—not to Mem-

phis—but to the town of Loogootee, then the largest town by far in the county. It was on the railroad, but only two and a half miles from the western line of the county. Evidently a vigorous protest was registered by the rest of the county for the order to move was rescinded before any work had been done toward making the change.

Now followed a bitter four-cornered fight, during which at one time an order was issued locating the county seat at Harrisonville. No action was taken, however, and finally, as a compromise measure, on December 11, 1869, the county seat was located on the west side of White river at Memphis. Some one suggested changing the name of the town when it was rechartered and the eighth county seat of Martin county opened for business on July 4, 1871, at the newly christened town of West Shoals. On April 27, 1876, the court house was destroyed by fire and, pending the erection of a new building, the offices were moved across the river to Shoals. A few years ago the boundaries of West Shoals were dissolved and the boundaries of Shoals extended to take in that territory, thus placing the county seat at Shoals.

The act organizing the county provided that the first session of the Circuit court should convene at the house of Joseph D. Clements in the town of Hindostan. The first session convened at the house of Clements on Friday, March 17, 1820, with Jonathan Doty, President Judge, and Ezekiel Porter and Frederick Sholtz, Associate Judges, on the bench. The Probate court of Martin county held its first session at the house of Joseph D. Clements in April, 1820, with Associate Judges Ezekiel Porter and Frederick Sholtz on the bench.

ASSOCIATE JUDGES.

Frederick Sholtz	.....	March 20, 1820; resigned, June, 1821.
Ezekiel Porter	.....	March 20, 1820.
George Mitcheltree	---	August 27, 1821, vice Frederick Sholtz, resigned.
James Prentiss	.....	March 5, 1822, vice George Mitcheltree, deceased. Removed from county, August, 1825.
Ezekiel Porter	.....	Died.
James Folles	.....	December 17, 1823, vice Ezekiel Porter, deceased.
Isaac Smith	.....	December 27, 1825 (special election), to serve to March 20, 1827, vice James Prentiss, removed.
Lyman G. Austin	.....	February 5, 1827, to serve seven years from March 20, 1827; resigned, October, 1832.

William Harris	-----	February 5, 1827, to serve seven years from March 20, 1827.
Daniel Brown	-----	February 28, 1833 (special election), to serve seven years from March 20, 1827.
Thomas Evans	-----	August 19, 1833, to serve seven years from March 20, 1834; died, October, 1834.
Daniel Brown	-----	August 19, 1833, to serve seven years from March 20, 1834.
John Reily	-----	January 16, 1835, vice Thomas Evans (deceased), to serve seven years from March 20, 1834.
Allison Henderson	----	August 18, 1836, vice John Reily (resigned), to serve seven years from March 20, 1834.
Earl Douglass	-----	August 16, 1838, to serve seven years from March 20, 1834.
Allison Henderson	----	August 17, 1840, to serve seven years from March 20, 1841; died, December, 1841.
Thomas Gootee	-----	March 21, 1842 (special election), vice Allison Henderson (deceased), to serve seven years from March 20, 1841. Thomas Gootee resigned, June, 1845.
James S. Wood	-----	August 21, 1845, to serve seven years from March 20, 1841, vice Thomas Gootee, resigned.
James S. Wood	-----	August 18, 1847, to serve seven years from March 20, 1848.
Thomas H. Davis	-----	August 18, 1847, to serve seven years from March 20, 1848.

PROBATE JUDGES.

Rufus Brown	-----	August 20, 1829.
James W. P. Love	-----	August 19, 1833, to serve seven years from date.
James W. P. Love	-----	July 16, 1841, appointed vice Cager Peck, resigned; no mention is made in record of a commission issued to Cager Peck.
James W. P. Love	-----	August 13, 1841, to serve seven years from date.
Thomas Gootee	-----	March 18, 1848, appointed.
Darwin A. Clark	-----	August 24, 1848.

COMMON PLEAS JUDGES.

R. A. Clements, Sr.	----	1852-66, resigned.
James C. Denny	-----	Appointed May 21, 1866-November 12, 1866.
R. A. Clements, Sr.	----	1866-67.
W. Ray Gardner	-----	Commission issued October 22, 1867, declined to accept.
James T. Pierce	-----	1867-73.

DISTRICT PROSECUTING ATTORNEYS.

James H. McConnell	----	1852-54.
Clark M. Anthony	-----	1854-55, resigned.

Henry S. Cauthorn.....Appointed July 2, 1855-56, resigned.
 J. W. Burton.....Appointed March 29, 1856.
 William H. Donabey__1856-58.
 Oliver T. Baird.....1858-60, resigned.
 Noah S. Given.....Appointed March 27, 1860-62.
 James T. Pierce1862-66.
 Samuel H. Taylor.....1866-70.
 Europe F. Littlepage__1870-72, resigned.
 Frank B. Posey.....Appointed March 19, 1872.
 Charles .H. McCarty___1872-73.

PRESIDENT JUDGES.

Jonathan DotyFebruary 1, 1820-March 7, 1822. First circuit.
 Jacob CallMarch 7, 1822-July 28, 1824, resigned.
 John R. Porter.....Appointed July 28, 1824-January 20, 1830. The
 act of January 20, 1830, put Martin in the Seventh.
 John LawJanuary 25, 1830-August 10, 1831, resigned.
 General W. Johnston___Appointed August 10, 1831-December 12, 1831.
 Amory KinneyDecember 12, 1831-January 25, 1837.
 Elisha M. Huntington__January 25, 1837-January 28, 1839. The act of
 January 28, 1839, put Martin in the Tenth.
 David McDonaldJanuary 28, 1839-October 12, 1852.

CIRCUIT JUDGES.

Alvin P. Hovey.....October 12, 1852; resigned, September 26, 1854.
 Third circuit.
 William E. Niblack___Appointed September 26, 1854; resigned, October
 24, 1857.
 Ballard SmithAppointed October 24, 1857-November 1, 1858.
 M. F. Burke.....November 1, 1858; died in office in June, 1864.
 James C. Denny.....Appointed June 27, 1864-November 1, 1864.
 John BakerNovember 1, 1864-November 1, 1870.
 Newton F. Mallott___November 1, 1870-March 8, 1879. The act of March
 6, 1873, put Martin in the Twelfth, and the act of
 March 8, 1879, put it in the Tenth. Mallott was
 transferred from the Third to the Twelfth by the
 act of March 6, 1873.
 Eliphalet D. Pearson__March 8, 1879-October 22, 1879. Judge Pearson
 had been on the bench of the Tenth since October
 22, 1873.
 Francis WilsonOctober 22, 1879-April 2, 1885. The act of April 2,
 1885, put Martin in the newly created Forty-ninth
 with Daviess, where they have since remained.
 David J. Hefron.....Appointed April 2, 1885-November 15, 1898.
 Hileary Q. Houghton__November 15, 1898-November 15, 1910.
 James W. Ogden.....November 15, 1910; term expires November 15,
 1916.

PROSECUTING ATTORNEYS.

- John Law ----- August 9, 1824-January 20, 1830. First circuit.
The act of January 20, 1830, put Martin in the Seventh.
- E. M. Huntington----- January 25, 1830-January 25, 1832.
- John H. Dowdeu----- January 25, 1832-April 9, 1833; died.
- Erasmus H. McJunkin___ Appointed April 9, 1833-August 14, 1834, died.
- John Cowgill ----- Appointed August 14, 1834-December 4, 1834.
- David McDonald ----- December 4, 1834-August 17, 1837, resigned.
- John Cowgill ----- Appointed August 17, 1837-February 13, 1838.
- Delana R. Eckles----- February 13, 1838-January 28, 1839. The act of
January 28, 1839, put Martin in the Tenth.
- John I. Watts----- February 1, 1839-February 1, 1843.
- William G. Quick----- February 1, 1843-February 1, 1845.
- Craven P. Hester----- February 1, 1845-February 1, 1849.
- William M. Franklin___ August 23, 1851-October 12, 1852.
- Andrew L. Robinson___ October 12, 1852-November 7, 1854. Third circuit.
- Nathaniel Usher ----- November 7, 1854-November 22, 1855, resigned.
- Harmon G. Barkwell___ Appointed November 22, 1855-August 15, 1857, re-
signed.
- William F. Parrett___ Appointed August 31, 1857-November 12, 1857.
- James M. Shanklin___ November 12, 1857; resigned October 11, 1858.
Commission issued again November 24, 1858;
served until August 3, 1859, when Shanklin was
removed to Fifteenth.
- R. A. Clements, Jr.--- Appointed August 3, 1859-August 14, 1866.
- W. Ray Gardiner----- Appointed August 14, 1866-November 3, 1866.
- Cutler S. Dobbins----- November 3, 1866-November 3, 1872.
- Samuel H. Taylor----- November 3, 1872-March 6, 1873. The act of March
6, 1873, put Martin in the Twelfth.
- John H. O'Neill----- Appointed April 12, 1873-November 12, 1877.
- Ephraim Moser ----- November 12, 1877-March 8, 1879. The act of
March 8, 1879, put Martin in the Tenth.
- John R. East----- March 8, 1879-October 22, 1879.
- Wilton S. Mavity----- October 22, 1879-October 22, 1881.
- Henry C. Duncan----- October 22, 1881-October 22, 1883.
- Joseph E. Henley----- October 22, 1883-April 2, 1885. The act of April 2,
1885, put Martin in the newly created Forty-ninth
with Daviess, where they have since remained.
- Arnold J. Padgett----- April 2, 1885; resigned June 25, 1885. The act of
April 2, 1885, transferred Padgett from the Twelfth
to the Forty-ninth.
- Hiram McCormack ---- Appointed June 26, 1885-November 17, 1886.
- Joseph D. Laughlin___ November 17, 1886-November 17, 1888.
- Charles M. Mears----- November 17, 1888-November 17, 1892.
- James M. Huff----- November 17, 1892-November 17, 1894.
- Peter R. Wadsworth_ _ November 17, 1894-November 17, 1896.

James B. Marshall.....	November 17, 1896-November 17, 1898.
Charles M. Mears.....	November 17, 1898-January 1, 1901.
Alvin J. Padgett.....	January 1, 1901-January 1, 1905.
Edgar T. Laughlin.....	January 1, 1905-January 1, 1909.
Elmer E. Hastings.....	January 1, 1909-January 1, 1911.
Flavian A. Seal.....	January 1, 1911-January 1, 1915.
Charles M. Mears.....	January 1, 1915; term expires January 1, 1917.

MIAMI COUNTY.

Miami county was organized by the act of January 2, 1834, which went into effect on the first of the following March. The first county seat of Miami was at Miamisport, a town laid out in 1828 in the hope that it would be selected for the county seat. It was on the same section of land now occupied by Peru, a section originally set aside as a reservation for John B. Richardville, the noted Miami Indian Chief. Richardville sold the east half to William N. Hood and the western half to Joseph Holman and the two men then laid out Miamisport. Hood and Holman failed to agree and in consequence Hood outbid Holman and secured the location of the county seat east of Miamisport, where Peru now stands. The growth of Peru was such that long since it took Miamisport within its limits. It was ordered vacated in June, 1841.

The first court house, a brick building forty feet square, was burned down, March 16, 1843, destroying all county records but those of the county commissioners. The Legislature helped to straighten out the situation with the act of December 26, 1843. On account of the destruction of the early records of Miami county, the history of the early courts is very obscure. The first court met either in August or September, 1834, after the organization of the county on January 2, when it was attached to the Eighth judicial district, composed of the counties of Cass, Miami, Wabash, Huntington, Allen, La-grange, Elkhart, St. Joseph and Laporte. Gustavus A. Everts, of Laporte county, was President Judge and Stephen S. Shanks and Jacob Wilkinson, Associate Judges. The first session of the Circuit court was held in Miamisport. In September, 1835, the third term of the Circuit court was held at the tavern of Hugh A. B. Peoples, in a room not over eighteen feet square. Judge Everts was succeeded in 1836 by Samuel C.

Sample, who had served as prosecuting attorney. After Judge Sample retired from the bench, he was succeeded by Charles W. Ewing, who served until the summer of 1839. After retiring from the bench in March, 1839, Judge Ewing became dissipated in his habits and died by his own hand on January 9, 1843.

Henry Chase, of Logansport, was appointed Judge in the Eighth district by Governor Wallace, September 1, 1839. The Legislature, which convened in December, 1839, chose John W. Wright as President Judge of the Eighth circuit. Judge Wright served a full term of seven years and while he was on the bench the Miami county court house was built, but it was scarcely completed before it was destroyed by fire on March 16, 1843.

The authentic history of the Miami Circuit court begins with the September term, 1843, which was held in the Presbyterian church, with John W. Wright as President Judge and Albert Cole and George S. Fenimore as Associate Judges. Spier S. Tipton was prosecuting attorney.

In January, 1847, Horace P. Biddle succeeded Judge Wright upon the bench. Judge Biddle was a man of scientific and literary turn of mind and the author of a number of books, including a collection of poems. Judge Biddle served until 1852, when he was elected a delegate to the Constitutional Convention, becoming one of its most active and distinguished members. Upon his resignation, Robert H. Milroy, of Carroll county, was appointed to fill the vacancy. Judge Milroy, after having organized several companies at the outbreak of the Civil War, became the colonel of the Ninth Indiana Infantry and was eventually promoted to the rank of major-general. He held but one term of court in Miami county and was succeeded by Thomas L. Stanfield, who was the first Judge of the Circuit under the new Constitution. The act of January 21, 1853, placed Miami in the Eleventh circuit and the Governor appointed John U. Pettit, already conspicuous in public life. He had served as a member of the Indiana Legislature and as United States Consul to Rio de Janeiro, Brazil. He resigned in the fall of 1854 to enter Congress. He served as a colonel in the Civil War.

The first term of the Circuit court in Miami county, under the present state Constitution, convened March 14, 1853, with Judge John U. Pettit on the bench and John M. Connell as prosecuting attorney. When Judge Pettit left the bench to enter Congress, Governor Wright appointed John Brownlee, of Grant county, which had, in the meantime, been added to the district, to the vacancy. Judge Brownlee held one term of court in Miami county during his appointment, in March, 1854, John M. Wallace, also of Grant county, having been elected in the fall of the same year to fill the unexpired term of Pettit. He first presided over the Miami Circuit court in March, 1855, at which time Isaiah M. Harlan was prosecuting attorney. Judge Wallace continued on the bench until 1860.

In the fall of 1860, Horace P. Biddle was elected Judge of the Eleventh district, then composed of Carroll, Cass, Miami, Grant, Wabash and Huntington counties. He assumed the duties of his office in October, 1860, and continued upon the bench until 1872, when he was succeeded by Dudley H. Chase, who served from November 3, 1872, to December 14, 1872. On the latter date the Legislature placed Miami in the Twenty-second circuit, John U. Pettit being appointed Judge of the new circuit. Judge Pettit was elected in the fall of 1873 and served for a full term of six years. Judge Pettit was succeeded by Lyman Walker, who was the first resident of Miami county to occupy the position of Circuit Judge. Judge Walker was a native of Vermont, who first attended Dartmouth College and later graduated at Middlebury College. After having reorganized the public schools of Peru upon coming to Indiana, he had practiced law with Harvey J. Shirk. In 1878 he was elected Judge of the Twenty-seventh judicial circuit and served one term. He died on March 5, 1894. The act of March 6, 1873, united Miami and Wabash in the Twenty-seventh circuit.

In the fall of 1884, James D. Conner, of Wabash county, was elected Circuit Judge. The Legislature of 1889 made Miami county the sole county of the Fifty-first judicial circuit. As Judge Conner lived in Wabash county, the Governor appointed James M. Brown as Judge of the newly established

Miami Circuit court. Judge Brown had previously been prominent in public life in Miami county, having served several terms as mayor of Peru, as city engineer, as a member of the school board and as a member of the city council.

In November, 1890, Jabez T. Cox was elected to succeed Judge Brown. Judge Cox was a native of Clinton county, Indiana, and, for a time, lived in both Tipton and Frankfort. During a short residence in Kansas, he had been a candidate for attorney-general on the Democratic ticket. Judge Cox served two terms as Judge of the Miami Circuit court and, since retiring from the bench, has been the senior member of the firm of Cox & Andrews.

In 1902 Joseph N. Tillett, a native of Miami county, succeeded Judge Cox on the bench. He was re-elected in 1908 and served until 1914, when Charles A. Cole was elected to preside over the court. Judge Cole's term expires November 17, 1920.

John Bush is credited with having been the first resident attorney of Miami county. Little is known of him beyond the fact that he purchased the ferry across the Wabash river and operated it in connection with his law practice. At the September, 1843, term of the Miami court, Daniel D. Pratt, Horace P. Biddle, William Z. Stuart, Ebenezer P. Loveland, Alphonso A. Cole, Nathan O. Ross, Spier S. Tipton and M. W. Seely were admitted to the practice. Of these men, Loveland, Cole, Ross and Seely resided in Miami county. E. P. Loveland, a native of Vermont, received his legal education in a law office at Richmond, Indiana, and in 1840 began the practice of his profession at Peru. He was vice-president of the company which built the railroad between Peru and Laporte and one of the prime movers in bringing the Howe Sewing Machine Works to Peru. Loveland lost his life February 10, 1871, when the factory burned. Alphonso A. Cole was a native of Zanesville, Ohio, and, on his paternal side, was descended from Revolutionary stock. In 1834 Alphonso A. Cole accompanied his father to Peru. He became a prominent citizen of this county and for a number of years represented Miami county in the Legislature. He died on August 2, 1862. Judge Charles A. Cole, the present Judge of Miami

county, is his son. John M. Wilson was a colonel in the Mexican War. He became one of the most noted criminal lawyers of the Wabash valley, practicing law almost continuously until his death in April, 1876.

Josiah and John L. Farrar also became well known as attorneys. They were natives of Jefferson county, New York, and came to Miami county in 1847. John L. Farrar achieved a wide reputation as a criminal lawyer. His brother, Josiah, served in the Civil War and was mustered out of the service as colonel of the Ninety-ninth Indiana Volunteer Infantry. William C. Farrar, a son of Josiah, is now a practicing attorney at Peru.

James N. Tyner, for many years a practicing attorney at Peru, was a nephew on his mother's side of Noah Noble, Governor of Indiana, and of James Noble, one of the early United States senators from this state. He was postmaster-general in the cabinet of President Grant (1875-76).

Among the other well-known lawyers, who have practiced before the Miami county bar, may be mentioned John Mitchell, Harvey J. Shirk, William J. Holman, J. D. Connor, John F. Dodds, Joseph B. Underwood, Isaac Hartman, E. P. Dickey, Meredith H. Kidd, R. P. Effinger, John M. Connell, Daniel M. Cox, John R. Coffroth, James M. Talbott, John M. Washburn, J. M. Robinson, Calvin Cowgill, S. W. Robertson, W. W. Sullivan, A. B. Charpie, Henry T. Underwood and Alexander Hess.

ASSOCIATE JUDGES.

Stephen G. Shanks	June 6, 1834, to serve seven years from date; removed from county. January, 1836.
Jacob Wilkinson	June 6, 1834, to serve seven years from date.
George S. Fenimore	March 14, 1836 (special election), vice Stephen G. Shanks, removed.
Albert Cole	August 17, 1840, to serve seven years from June 6, 1841.
George S. Fenimore	August 17, 1840, to serve seven years from June 6, 1841.
George S. Fenimore	August 30, 1847, to serve seven years from June 6, 1848.
Daniel Potter	August 30, 1847, to serve seven years from June 6, 1848.

PROBATE JUDGES.

- Joseph Holman ----- March 3, 1835, to serve seven years from date; resigned May 24, 1836.
 John Bush ----- August 14, 1836. (Bush failed to produce his certificate at this time.)
 John Bush ----- August 16, 1838.
 Jonathan R. Smith ---- March 19, 1841, appointed.
 Jonathan R. Smith ---- September 15, 1841, to serve seven years from date.
 Reuben C. Harrison ---- August 29, 1848, to serve seven years from September 15, 1848.

COMMON PLEAS JUDGES.

- Robert F. Groves ----- 1852-56.
 Samuel L. McFadden -- 1856-60.
 Kline G. Shryock ----- 1860-62.
 David D. Dykeman ---- 1862-65, resigned.
 Thomas C. Whiteside -- Appointed May 12, 1865-70, resigned.
 Daniel P. Baldwin ---- Appointed August 25, 1870-October 24, 1870.
 James H. Carpenter -- 1870-71.

DISTRICT PROSECUTING ATTORNEYS.

- Samuel L. McFadden -- 1852-54.
 Josiah Farrar ----- 1854-58.
 John Guthrie ----- 1858-60, resigned.
 William DeHart ----- Appointed October 26, 1860, resigned.
 W. W. Shuler ----- Appointed December 22, 1860-61, resigned.
 E. T. Dickey ----- Appointed November 2, 1861-62.
 Stewart T. McConnell. 1862-64.
 John A. Farrell ----- 1864-66, resigned.
 Dyer B. McConnell ---- Appointed March 14, 1866.
 Horace S. Foot ----- 1866-68.
 Jerome Q. Stratton ---- 1868-70.
 Hiram G. Depuy ----- 1870-71. The act of February 3, 1871, put Miami in the Twenty-fifth district.
 Avery B. Charpie ----- Appointed February 20, 1871-72.
 James M. Howard ----- 1872-73.

PRESIDENT JUDGES.

- Gustavus A. Everts ---- March 1, 1834-July 5, 1836, resigned. Eighth circuit.
 Samuel C. Sample ---- Appointed July 5, 1836-December 10, 1836; transferred to the Ninth.
 Charles W. Ewing ---- December 10, 1836-September 1, 1839, resigned.
 Henry Chase ----- Appointed September 1, 1839-December 15, 1839.
 John W. Wright ----- December 15, 1839-January 29, 1847.
 Horace P. Biddle ----- January 29, 1847; resigned, April 20, 1852.
 Robert H. Milroy ----- Appointed August 20, 1852-October 12, 1852.

CIRCUIT JUDGES.

- Thomas L. Stanfield.....October 12, 1852-January 21, 1853. The act of January 21, 1853, took Miami out of the Ninth and put it in the Eleventh.
- John U. Pettit.....Appointed January 25, 1853; resigned August 28, 1854, to go to Congress.
- John BrownleeAppointed September 6, 1854-October 25, 1854.
- John M. Wallace.....October 25, 1854-October 26, 1860.
- Horace P. Biddle.....October 26, 1860-November 3, 1872.
- Dudley H. Chase.....November 3, 1872-December 15, 1872. The act of December 14, 1872, put Miami in the Twenty-second.
- John U. Pettit.....Appointed January 6, 1873-October 22, 1879. The act of March 6, 1873, put Miami in the Twenty-seventh, and transferred Pettit from the Twenty-second to the Twenty-seventh.
- Lyman WalkerOctober 22, 1879-October 22, 1885.
- James D. Conner.....October 22, 1885-February 16, 1889. The act of February 16, 1889, made Miami the sole county in the newly created Fifty-first, where it has since remained.
- James M. Brown.....Appointed February 23, 1889-November 17, 1890.
- Jabez T. Cox.....November 17, 1890-November 17, 1902.
- Joseph N. Tillett.....November 17, 1902-November 17, 1914.
- Charles A. Cole.....November 17, 1914; term expires November 17, 1920.

PROSECUTING ATTORNEYS.

- Samuel C. Sample.....March 1, 1834-July 5, 1836, resigned. Eighth circuit.
- Joseph L. Jernegan.....Appointed July 5, 1836-December 10, 1836; transferred to Ninth.
- Thomas JohnsonDecember 10, 1836-December 3, 1838.
- John W. Wright.....December 3, 1838-December 5, 1839.
- Lucian P. Ferry.....December 5, 1839-December 15, 1841.
- Spier S. Tipton.....December 15, 1841-December 15, 1843.
- William Z. Stuart.....December 15, 1843-December 15, 1845.
- David M. Dunn.....December 15, 1845-December 15, 1845.
- William PotterAugust 23, 1849-August 28, 1851, resigned.
- George E. Gordon.....August 28, 1851; resigned September 15, 1852.
- John M. Wilson.....Appointed September 15, 1852-October 12, 1852.
- D. J. Woodward.....October 12, 1852-January 21, 1853. The act of January 21, 1853, took Miami out of the Ninth and put it in the Eleventh.
- John M. Connell.....January 25, 1853-January 1, 1854.
- Isalah M. Harlan.....January 1, 1854-February 27, 1856, resigned.
- Orris BlakeAppointed February 27, 1856-October 30, 1856.

- Charles H. Parrish____October 30, 1856-December 1, 1858.
 Richard P. DeHart____December 1, 1858-October 29, 1860, resigned.
 Meredith H. Kidd_____Appointed November 1, 1860-February 17, 1862, re-
 signed.
 Thomas C. Whiteside__February 17, 1862-November 3, 1864.
 Dudley H. Chase_____November 3, 1864-November 3, 1870.
 Alexander Hess _____November 3, 1870-December 14, 1872. The act of
 December 14, 1872, put Miami in the Twenty-second.
 However, the act of March 6, 1873, put
 Miami in the Twenty-seventh. Evidently Hess
 served until the latter date.
 James K. Marsh_____March 6, 1873-November 3, 1874. Marsh had been
 serving in the Twenty-seventh since October 24,
 1870.
 Nott N. Antrim_____November 3, 1874-November 3, 1878.
 Macy Good _____November 3, 1878-November 17, 1884.
 Charles R. Pence_____November 17, 1884-November 17, 1886.
 Ethan T. Reasoner_____November 17, 1886-November 17, 1890. The act of
 February 16, 1889, made Miami the sole county in
 the newly created Fifty-first, where it has since
 remained. This act also transferred Reasoner
 from the Twenty-seventh to the Fifty-first.
 Frank D. Butler_____November 17, 1890-November 17, 1894.
 J. N. Tillett_____November 17, 1894-November 17, 1898.
 Lyman B. Sullivan_____November 17, 1898-January 1, 1901.
 John T. Armitage_____January 1, 1901-January 1, 1903.
 Claude Y. Andrews____January 1, 1903-January 1, 1905.
 John Allen Shunk_____January 1, 1905-January 1, 1907.
 Vites E. Kagy_____January 1, 1907-January 1, 1911.
 George F. Merley_____January 1, 1911-May 2, 1912.
 Hal C. Phelps_____Appointed May 2, 1912; term expires January 1,
 1917.

MONROE COUNTY.

The foundation of the civil organization of Monroe county was made on January 14, 1818, when an act of the Legislature, authorizing the organization of the county, was signed by the Governor. Bloomington was chosen as the county seat by the locating commissioners, and a double log court house was soon erected, at a cost of about four hundred dollars, by Samuel Elliott. The work was pushed along so rapidly that the building was first occupied in August, 1818. Early in 1823, the second court house was nearly completed and ready for occupancy, but it was not fully finished and was not occu-

pied for sometime afterward. It was finally completed in 1826 at a cost of eight thousand three hundred dollars. The court house was a fine structure for that early day and was the pride of Bloomington and Monroe county. In 1856-58 the court house was remodeled by John F. Rogers, who built two brick wings at a cost of about seven thousand dollars. This building served the purposes of Monroe county as a temple of justice until the completion of the magnificent court house, which now adorns the public square at Bloomington, on June 1, 1908. The present structure cost two hundred and fifty thousand dollars.

Among the well-known attorneys of Monroe county, past and present, may be mentioned Craven P. Hester, Eli K. Millen, James Hughes, John H. Louden, George A. Buskirk, John W. Buskirk, John R. East, William H. East, Robert C. Foster, John Graham, J. E. Henley, Robert W. Miers, James F. Morgan, Jeremiah F. Pittman, William P. Rogers and James B. Wilson.

John H. Louden, a native of Pennsylvania and a graduate of the law department of Indiana University in 1864, became one of the state's best lawyers. At different times he practiced with Capt. John W. McCoy, Frank Wilson, M. F. Dunn and R. W. Miers.

George A. Buskirk, who was born in 1829, the son of Abram Buskirk, was a student at Indiana University when the Mexican War broke out. He served until the end of the war. After graduating from Indiana University in 1850, he served in the Legislature and was speaker of the Lower House. He organized the First National Bank of Bloomington. John W. Buskirk, the second son of John B. Buskirk, was a native of Lawrence county, Indiana, and practiced law at Paoli and Bloomington. He was a veteran of the Civil War. John R. East, a native of Monroe county and the son of William East, served in the Civil War. He graduated from the State University in 1870, and for a time (1878-79) served as prosecuting attorney. His brother, William H. East, taught school and read law in his early life and practiced in this city for many years.

Robert E. Foster, another well-known attorney of Bloomington, served for twenty-five years as secretary of Indiana University. He was also a member of the Legislature from this county. John Graham, a native of Bloomington, served two years as librarian of the Supreme court of Indiana and as a member of the Legislature from Monroe county. J. E. Henley, a native of Orange county, Indiana, graduated from the State University in 1875. After teaching for some time, he studied law and, for many years practiced with William P. Rogers. He served one term as prosecuting attorney. Robert W. Miers, the present Circuit Judge, graduated from the State University in 1871. He has served as prosecuting attorney of this district, as a representative in the State Legislature, as a member of Congress and as a Judge (1885, 1890-91) of the circuit to which Monroe was attached.

William P. Rogers, who practiced law for many years in partnership with J. E. Henley, was formerly dean of the Indiana University law school and later dean of the law school of the University of Cincinnati. James B. Wilson, Circuit Judge from 1902 to 1914, was born in Owen county, Indiana, in 1859. He is the candidate of the Progressive party for United States senator in 1916.

ASSOCIATE JUDGES.

Lewis Noell	-----	March 28, 1818.
Joseph Berry	-----	March 28, 1818; resigned, July, 1821.
John Sedwick	-----	August 23, 1821, vice Joseph Berry, resigned.
William Matlock	-----	September 30, 1832.
William Edmonson	---	November 26, 1824, to serve seven years from March 17, 1825.
Michael Buskirk	-----	November 26, 1824, to serve seven years from March 17, 1825.
Abram Buskirk	-----	September 9, 1831, to serve seven years from March 28, 1832.
Stephen C. Seal	-----	September 9, 1831, to serve seven years from March 28, 1832.
John M. Berry	-----	March 16, 1839, to serve seven years from March 28, 1839.
Joseph Reeves	-----	March 16, 1839, to serve seven years from March 28, 1839.

"August 17, 1845, a writ of election issued to the sheriff of Monroe county commanding him to cause an election, to be held in said county for the

purpose of electing one associate Judge to fill the vacancy occasioned by the failure to elect such officer at the last general election, in consequence of two persons having received the highest and equal number of votes as certified by the proper authority."

- Joseph Reeves ----- August 20, 1845, to serve seven years from March 17, 1846.
- John McCorkhill ---- October 29, 1845, to serve seven years from March 17, 1846.
- Coonrod (alias)
Conrad Kern ----- August 24, 1846, to serve seven years from August 17, 1846.

PROBATE JUDGES.

- Wm. D. McCullough--- September 7, 1829.
- Aquilla Rogers ----- September 3, 1833, vice William D. McCullough (deceased), to serve until the first Monday in August, 1834.
- Aquilla Rogers ----- August 22, 1834, to serve seven years from date.
- Stephen P. Seal----- May 25, 1838, appointed vice Aquilla Rogers, resigned.
- John Eller ----- August 10, 1838; died, October, 1840.
- William Edmonson --- October 14, 1840, vice John Eller, deceased.
- Aquilla Rogers ----- August 5, 1841, to serve seven years from date.
- Jacob B. Lowe----- January 28, 1847, appointed pro tem, vice Aquilla Rogers. Jacob B. Lowe appointed under provision of act of January 27, 1847.
- Frederick T. Butler--- October 29, 1847, "to fill vacancy by the enlistment of Aquilla Rogers in the army of the United States and his consequent leaving the state."
- Frederick T. Butler--- August 29, 1848.

COMMON PLEAS JUDGES.

- William G. Quick----- 1852-56.
- George A. Buskirk----- 1856-64.
- Oliver J. Glessner----- 1864-68.
- Thomas W. Woollen--- 1868-70, resigned.
- Richard L. Coffee----- Appointed October 15, 1870-73.

DISTRICT PROSECUTING ATTORNEYS.

- Daniel W. McClure---- 1852-53, resigned.
- Thomas L. Perry----- Appointed December 20, 1853-56.
- A. D. Cunning----- 1856-57, resigned
- Thomas L. Perry----- Appointed October 30, 1857-58.
- E. K. Millen----- 1858-60, resigned.
- Stephen Thresher --- 1860-61, resigned.
- James Harrison ----- Appointed January 7, 1861-62.
- David D. Banta----- 1862-64.

Kendall M. Hord.....1864-66.
 Francis M. Conner.....1866-68.
 James A. Reeves.....1868-69, resigned.
 William C. Sandifer...Appointed May 24, 1869-70.
 George W. Workman...1870-72, died.
 James A. Jordan.....Appointed August 21, 1872.
 Charles W. Snow.....1872-73.

PRESIDENT JUDGES.

William PrinceApril 10, 1818-May 16, 1818, resigned. First circuit.
 Thomas BlakeAppointed May 16, 1818-December 31, 1818.
 General W. Johnston...December 31, 1818-April 10, 1819, resigned.
 Jonathan DotyAppointed April 10, 1819-December 31, 1821. The act of December 31, 1821, put Monroe in the Fifth.
 William W. Wick.....Appointed February 7, 1822-January 20, 1825, resigned.
 Bethuel F. Morris....January 20, 1825-January 20, 1830. The act of January 20, 1830, put Monroe in the Seventh.
 John LawJanuary 25, 1830-August 10, 1831, resigned.
 General W. Johnston...Appointed August 10, 1831-January 21, 1832.
 Amory KinneyJanuary 21, 1832-January 25, 1837, resigned.
 Elisha M. Huntington...January 25, 1837-January 28, 1839. The act of January 28, 1839, put Monroe in the Tenth.
 David McDonaldJanuary 28, 1839-January 12, 1850. The act of January 12, 1850, put Monroe in the Fifth.
 William W. Wick.....January 12, 1850-October 12, 1852.

CIRCUIT JUDGES.

James HughesOctober 12, 1852; resigned, July 2, 1856. Sixth circuit.
 Ambrose B. Carlton...Appointed July 2, 1856-October 30, 1856.
 James M. Hanna.....October 30, 1856; resigned December 18, 1857.
 Solomon ClaypoolAppointed December 21, 1857-November 6, 1864.
 Delana R. Eckles.....November 6, 1864-November 6, 1870.
 William M. Franklin...November 6, 1870-March 6, 1873. The act of March 6, 1873, put Monroe in the Tenth.
 Ambrose B. Carlton...Appointed March 12, 1873; resigned August 6, 1873.
 Francis Wilson.....Appointed August 20, 1873-October 22, 1873.
 Eliphalet D. Pearson...October 22, 1873-October 22, 1879.
 Francis WilsonOctober 22, 1879; died in office April 26, 1885.
 Robert W. Miers.....Appointed April 30, 1885-October 23, 1885.
 Eliphalet D. Pearson...October 23, 1885; died in office July 3, 1890.
 Henry C. Duncan.....Appointed July 16, 1890-November 10, 1890.
 Robert W. Miers.....November 10, 1890; resigned August 12, 1896.
 Joseph GilesAppointed August 12, 1896-November 10, 1896.
 William H. Martin....November 10, 1896-November 10, 1902.

- James B. Wilson.....November 10, 1902-November 10, 1914. The act of March 4, 1911, constituted Monroe and Owen the Tenth, where they have since remained.
- Robert W. Miers.....November 10, 1914; term expires November 10, 1920.

PROSECUTING ATTORNEYS.

- Harvey GreggAugust 9, 1824-August 9, 1825. Fifth circuit.
- Calvin FletcherAugust 9, 1825-August 14, 1826.
- James WhitcombAugust 14, 1826-January 14, 1829.
- W. W. Wick.....January 14, 1829-January 20, 1830. The act of January 20, 1830, put Monroe in the Seventh.
- E. M. Huntington.....January 25, 1830-January 25, 1832.
- John H. Dowden.....January 25, 1832-April 9, 1833, died.
- Erasmus H. McJunkin.....Appointed April 9, 1833-August 14, 1834, died.
- John CowgillAppointed August 14, 1834-December 4, 1834.
- David McDonaldDecember 4, 1834-August 17, 1837, resigned.
- John CowgillAppointed August 17, 1837-February 13, 1838.
- Delana R. Eckles.....February 13, 1838-January 28, 1839. The act of January 28, 1839, put Monroe in the Tenth.
- John I. Watts.....February 1, 1839-February 1, 1843.
- William G. Quick.....February 1, 1843-February 1, 1845.
- Craven P. Hester.....February 1, 1845-February 1, 1849. The act of January 13, 1850, put Monroe in the Seventh.
- Harvey D. Scott.....August 19, 1851-October 12, 1852.
- William E. McLean.....October 12, 1852-November 7, 1854. Sixth circuit.
- Ambrose B. Carlton.....November 7, 1854-April 3, 1855, resigned.
- Theodore ReadApril 3, 1855-August 6, 1855, resigned.
- Francis L. Neff.....August 6, 1855-November 2, 1856.
- Milton A. Osborn.....November 2, 1856-November 6, 1858.
- Isaac N. Pierce.....November 6, 1858-November 6, 1860.
- Willis G. Neff.....November 6, 1860-November 6, 1864.
- Michael MalottNovember 6, 1864-November 6, 1866.
- Jacob S. Broadwell.....November 6, 1866-November 6, 1868.
- John C. Robinson.....November 6, 1868-November 1, 1872.
- Courtland C. Matson.....November 1, 1872-March 6, 1873. The act of March 6, 1873, put Monroe in the Tenth.
- Jeremiah F. Pittman.....Appointed March 12, 1873-October 22, 1873.
- J. W. Tucker.....October 22, 1873-October 22, 1875.
- Robert W. Miers.....October 22, 1875-October 23, 1878, resigned.
- John R. East.....Appointed October 25, 1878-October 22, 1879.
- Milton S. Mavity.....October 22, 1879-October 22, 1881.
- Henry C. Duncan.....October 22, 1881-October 22, 1883.
- Simpson LoweOctober 22, 1881-October 22, 1883.
- Joseph E. Henley.....October 22, 1885-March 28, 1887.
- Abram NoblettAppointed March 28, 1887-October 22, 1887.
- Milton S. Mavity.....October 22, 1887-October 22, 1893.

John E. Edmonson	-----	October 22, 1893-October 22, 1897.
James E. Zaring	-----	October 22, 1897-January 1, 1902.
Robert G. Miller	-----	January 1, 1902-January 1, 1906.
Fred M. Fletcher	-----	January 1, 1906-January 1, 1910.
John H. Underwood	-----	January 1, 1910-January 12, 1912. The act of March 4, 1911, constituted Monroe and Owen the Tentb, where they have since remained.
William M. Loudon	-----	January 1, 1912-January 1, 1914.
Joseph K. Barclay	-----	January 1, 1914; term expires January 1, 1918.

MONTGOMERY COUNTY.

Montgomery county was organized out of a part of Wabash county by the act of December 21, 1822. At that time it was attached to the First judicial circuit, which, by an act of 1821, included Knox, Sullivan, Vigo, Parke, Putnam, Daviess, Martin and Orange counties. The Circuit court of Montgomery county was organized in May, 1823, by Jacob Call, of Vincennes, President Judge of the First circuit, at the house of William Miller in Crawfordsville. Judge Call presented his commission as Judge, signed by Governor William Hendricks at Corydon, on December 18, 1822, together with a certificate from Isaac Blackford, one of the Judges of the Supreme court, that the usual oath of office and the oath against dueling had been duly administered by him to the new Judge.

Judge Call, a lawyer of much learning and of great ability, was a personal friend of Governor Hendricks. He held office and continued to hold court at Crawfordsville in 1823 and in 1824, when he was elected to Congress. He died during his first term in Congress.

Judge Call was succeeded in 1824 by Judge John R. Porter, of Newport. Nothing had been done at the first session of the court besides perfecting its organization and ordering a summons for a grand jury for the ensuing term to be held in August. The second term of court which convened August 28, 1823, is believed to have been held at the tavern of Major Henry Ristine in Crawfordsville. Judge John R. Porter was a native of Pittsfield, Massachusetts, a graduate of Union College at Schenectady, New York, and, after reading law, had settled at Paoli in Orange county, in 1820. After his selec-

tion as President Judge of the First Circuit, he moved to Eugene township, Vermillion county, where he engaged in farming.

Isaac Naylor, of Crawfordsville, who succeeded Judge Porter in 1838, was a native of Rockingham county, Virginia, born July 30, 1790. His parents immigrated to Kentucky in 1793 and to Indiana in 1805, settling in Clark county near Charlestown. Judge Naylor was largely self-educated, though he had carried forward his education, studied law and was admitted into practice by the Supreme court of Indiana in 1818. He married Mary Anderson in 1826 and settled in Crawfordsville in 1833, where he resided until his death, April 26, 1873. Judge Naylor served as a volunteer at the battle of Tippecanoe and was justly proud of his record—in fact, the lawyers used to claim that if a favor was wanted of him, the way to get it was to start the subject of Tippecanoe. An account of the battle of Tippecanoe by Judge Naylor and an autobiographical sketch of him have been published by the *Indiana Quarterly Magazine of History*. Judge Naylor served as Circuit Judge from 1838 to 1852.

William P. Bryant, the fourth Judge of the Montgomery Circuit court, who succeeded Judge Naylor in 1852, was a resident of Rockville, Indiana, a veteran of the Black Hawk War and had represented his district in the Legislature in 1832-33. He had served as a senator in 1838-39 and was Circuit Judge in the old Rockville circuit from 1842 to 1844, after which he had joined a throng of immigrants to Oregon. He had served in 1848 as Chief Justice of Oregon territory. Upon his return to Indiana in 1852, at the first election under the new Constitution, he defeated Judge Naylor for Circuit Judge of the Eighth circuit. Judge Bryant died at Rockville, October 9, 1860.

In 1858 John M. Cowan, then of Franklin, but later of Crawfordsville, was chosen Judge of the Eighth judicial circuit. Judge Cowan was the son of John and Anna (Maxwell) Cowan, who were both of Scotch-Irish lineage. John Cowan was a Virginian by birth, who, after a residence in Tennessee and Kentucky, came to Charleston, Indiana, in territorial days. He served in the Tippecanoe campaign and later as a ranger

or dragoon scout until the early Indian hostilities were ended. When the state capital was located at Indianapolis, the Cowans and Maxwells moved there in 1820 and were among the earliest settlers of the place. Judge John M. Cowan was born at Indianapolis, December 6, 1821, and one year later his father moved to Montgomery county and located on a farm near Crawfordsville, where he died ten years later. In his youth John Maxwell Cowan had the schooling of severe adversity, but in 1836 he entered the preparatory school of Wabash College and took the degree of Bachelor of Arts six years later. He was then appointed deputy clerk of Clinton county by his relative, Samuel D. Maxwell. He studied law during his spare moments and was enabled to graduate from the law school at Bloomington in 1845 after a course of one year. He then opened an office in Frankfort in the same year. He formed a partnership with James F. Suit and the firm soon established itself as one of the strongest in Clinton county and vicinity. In 1858 he was elected Judge of the Eighth judicial circuit, succeeding Judge William P. Bryant and in 1864 he was re-elected without opposition. At the close of his term in 1870, Judge Cowan located at Crawfordsville and formed a partnership with Hon. Thomas M. Patterson, later a United States senator from Colorado. Two years later he entered the new firm with M. D. White and James E. Cowan, his second son, which arrangement continued for three years. He then retired from general practice to become assistant cashier and attorney for the First National Bank of Crawfordsville, in which position he continued until 1881. He then moved to Springfield, Missouri. In person Judge Cowan was slender, of medium height and dignified carriage. His disposition was genial and his reputation as an upright Judge and model citizen was well established.

Thomas F. Davidson, of Covington, succeeded Judge Cowan in 1870 and served as Judge of the Montgomery Circuit court until 1873, when the circuit was changed and Montgomery and Parke counties were joined together in the Twenty-second circuit.

On March 12, 1873, Samuel C. Wilson, of Crawfordsville, was appointed to succeed Judge Davidson on the bench of the

Montgomery Circuit court. Judge Wilson served a short term by appointment in 1873 and was succeeded by Judge Albert D. Thomas, of Crawfordsville, who served until 1879. Judge Thomas was succeeded in 1879 by William P. Britton, who served until 1885, when he was followed by Edward C. Snyder, who served until 1891. Judge James F. Harney served from 1891 until 1897 and was succeeded by Judge Jere West, the present incumbent. Judge West's term expires October 21, 1921.

Judge Snyder was born in Maryland, October 7, 1843, of German and English descent. His people came to Indiana and settled near Crawfordsville when he was a small child, but soon returned to Ohio and there he spent most of his youth. When about eighteen years old, he enlisted in an Ohio regiment in the Union army under Col. Granville Moody. He was wounded at Stone river, taken prisoner and paroled the third day. In 1872 he commenced the study of law with Hon. M. D. White, of Crawfordsville, and in 1878 was elected city attorney of Crawfordsville and re-elected in 1880. After serving one term as Judge of the Montgomery Circuit court, he practiced law for a short time and then returned to his farm near New Market in Montgomery county.

The late James F. Harney, who succeeded Snyder on the bench, was born in Kentucky in 1824 and died in March, 1904. He was of Scotch ancestry and the son of Gilbert T. Harney, who moved to Indiana in 1835. Judge Harney was a soldier in the war with Mexico under Capt. Henry S. Lane, and was elected to the state Legislature in 1849, 1858 and 1862. He was a state senator from 1872 to 1876. In 1885 he was appointed revenue collector and, in 1890, elected Judge of the Circuit.

In November, 1893, Mrs. Fannie Nuckolls was admitted to the bar at Crawfordsville. She was then a traveling saleswoman for a Chicago publishing house and was the first woman to be admitted to the bar in Indiana under what was then a recent Supreme court decision, which gave women the right to be admitted to the bar in Indiana.

Montgomery county is able to boast a distinguished list of attorneys. Thomas M. Patterson, who served as United

States senator from Colorado, practiced law at Crawfordsville thirty-five years ago as a partner of M. D. White. Will and Maurice Thompson practiced law in Crawfordsville for fifteen years. The former became solicitor for the Northern Pacific Railroad and located at Seattle, Washington. A law firm known as that of Crane & Anderson, Crawfordsville, was a strong firm, but Anderson withdrew to become Judge of the United States court, after which the firm name became Crane & McCabe.

Bayless W. Hanna, a partner of Daniel W. Voorhees, died at Crawfordsville and is buried in the Oak Hill cemetery there. He served as attorney-general of Indiana from November 3, 1870, to November 6, 1872, and later as minister to the Argentine Republic. James Wilson, who was United States minister to Venezuela, was a member of the Montgomery county bar. The venerable Michael D. White, who was a member of the bar for many years, represented the Ninth district in Congress from 1877 to 1879. Robert B. F. Peirce, who represented the Eighth district in Congress from 1881 to 1883, was a member of the Montgomery county bar. Henry S. Lane, Governor of Indiana from January 14 to January 16, 1861, and, after that, a United States senator until 1867, was a member of the Montgomery county bar. Joseph E. McDonald, who represented Indiana in the United States Senate from 1875 to 1881, moved from Lafayette to Crawfordsville in 1847 and remained there until 1859. He had previously served as prosecuting attorney. In 1849 he was elected to the fifty-first Congress, serving one term. In 1856 he was elected attorney-general of Indiana and re-elected in 1858. In 1859 he moved to Indianapolis and formed a partnership with Addison L. Roache, who had resigned as one of the Judges of the Supreme court. In 1864 McDonald was nominated on the Democratic ticket for Governor, but was defeated by Oliver P. Morton. He was elected to the United States Senate in 1875 to succeed D. D. Pratt. In 1881 he was a candidate for re-election, but was defeated by Benjamin Harrison. In 1884 he was defeated for the Democratic presidential nomination at Chicago by Grover Cleveland.



GEN. LEW WALLACE.

From the Bust in the Capitol at Washington, D. C.

Although born at Brookville, Gen. Lew Wallace, the author of "Ben-Hur," made Crawfordsville his home during practically the entire period of his life after his student days at Wabash College. Lew Wallace was the second child born to Gov. David and Esther Wallace. Gov. David Wallace, a graduate of the West Point Military Academy, had studied law and engaged in the practice of his profession at Brookville. He became a brilliant attorney and served successively as a member of the Legislature, twice as lieutenant-governor and became Governor in 1837. He was also a member of Congress from 1841 to 1845, and after his retirement from Congress, served as Judge of the court of Common Pleas. He died in 1859, at the age of sixty-eight. At the breaking out of the Civil War, Lew Wallace was appointed adjutant-general from Indiana and soon thereafter was commissioned colonel of the Eleventh Indiana Volunteer Infantry. Later he was promoted to the rank of Brigadier-general and, still later, to the rank of major-general. He was the second member of the court to try the assassins of President Lincoln and was president of the court-martial which tried Henry Wirtz, commander of the notorious Confederate prison at Andersonville, Georgia.

George D. Hurley died after a law practice of fifty-two years at Crawfordsville, in May, 1906. He was a native of New Albany, Indiana, born in 1833. Henry Perry, who died in 1906, was a veteran of the Civil War and studied law under P. S. Kennedy and W. T. Brush, of Crawfordsville. P. S. Kennedy, who died in 1903, was a native of Kentucky, born in 1829. In 1866 Kennedy was appointed by Chief Justice Chase as commissioner in bankruptcy. Under Judge Gresham he was appointed United States commissioner and served more than twenty years in this capacity. His two sons, Dumont and Schuyler Kennedy, are in the practice of law at Crawfordsville today. Thomas O. Osburn, who studied law with Gen. Lew Wallace and Hon. M. D. White, held a ministership in South America and at one time practiced law in Chicago. William P. Hargrave, who died in January, 1897, rounded out a long career as an able attorney at the Crawfordsville bar.

ASSOCIATE JUDGES.

William Burbridge	---September 1, 1823.
James Stitt	-----September 1, 1823.
James Stitt	-----August 10, 1830, to serve seven years from September 5, 1830.
William Burbridge	---August 10, 1830, to serve seven years from September 5, 1830; resigned, December, 1832.
Absalom Ketchum	----February 25, 1833 (special election), vice William Burbridge, to serve seven years from September 15, 1830.
James Stitt	-----August 14, 1837, to serve seven years from September 15, 1837.
Thomas Glenn	-----August 14, 1837, to serve seven years from September 15, 1837.
Henry Lee	-----August 20, 1844, to serve seven years from September 15, 1844.
James Stitt	-----August 20, 1844, to serve seven years from September 15, 1844; died, September, 1844.
Abram P. Watson	-----November 20, 1844 (special election), vice James Stitt (deceased), to serve seven years from September 1, 1844
James Riley	-----August 20, 1846, to serve seven years from September 1, 1844.
Orrion Stoddard	-----August 22, 1851, to serve seven years from September 1, 1851.

PROBATE JUDGES.

Robert Taylor	-----August 13, 1829.
Robert Taylor	-----August 19, 1836.
Robert Taylor	-----August 12, 1843.
Robert Taylor	-----August 24, 1850.

COMMON PLEAS JUDGES.

Lorenzo C. Dougherty	-----1852-60.
Isaac Naylor	-----1860-68.
Joseph Ristine	-----1868-72.
Albert D. Thomas	-----1872-73.

DISTRICT PROSECUTING ATTORNEYS.

Abner V. Austin	-----1852-54.
Michael D. White	-----1854-56, resigned.
Bayless W. Hanna	-----Appointed October 28, 1856-58, resigned.
C. C. Galvin	-----Appointed March 25, 1858.
John Morgan	-----1858-60.
Hiram W. Stilwell	-----1860-64.
William Eggleston	----1864-66.
William T. Brush	-----1866-68.
George D. Hurley	-----1868-70.
Thomas L. Stilwell	-----1870-73.

PRESIDENT JUDGES.

At the time of the organization of Montgomery county, March 1, 1823, it was placed in the First circuit, on which Jacob Call was then serving as President Judge. He continued on the bench until his resignation, in July, 1824, when he was succeeded by John R. Porter, who was commissioned on July 28, 1824. Porter remained in office until January 27, 1838, when Isaac Naylor ascended the bench and served until the new constitution went into operation.

CIRCUIT JUDGES.

William P. Bryant----October 12, 1852-November 1, 1858. Eighth circuit.
 John M. Cowan-----November 1, 1858-November 1, 1870.
 Thomas F. Davidson--November 1, 1870-March 6, 1873. The act of March 6, 1873, put Montgomery in the Twenty-second with Parke.
 Samuel C. Wilson-----Appointed March 12, 1873-October 21, 1873.
 Albert D. Thomas-----October 21, 1873-October 21, 1879.
 William P. Britton----October 21, 1879-October 21, 1885. The act of February 25, 1885, made Montgomery the sole county in the Twenty-second.
 Edward C. Snyder----October 21, 1885-October 21, 1891.
 James F. Harvey-----October 21, 1891-October 21, 1897.
 Jere West -----October 21, 1897; term expires October 21, 1921.

PROSECUTING ATTORNEYS.

John Law -----August 9, 1824-January 25, 1830.
 Edward A. Hannegan--January 25, 1830-January 25, 1832.
 Andrew Ingram -----January 25, 1832-January 23, 1834.
 William P. Bryant----January 23, 1834-January 23, 1838.
 Joseph A. Wright-----January 23, 1838-December 5, 1839.
 Samuel C. Willson-----December 5, 1839-September 4, 1843.
 Joseph E. McDonald---September 4, 1843-September 19, 1847.
 Lew Wallace -----August 18, 1851-October 12, 1852; transferred to Eighth by act of June 17, 1852.
 Robert P. Moore-----October 12, 1852-November 7, 1854. Eighth circuit.
 Daniel Kelso -----November 7, 1854-November 7, 1856.
 Francis Adkinson ----November 7, 1856-November 7, 1858.
 George W. Richardson--November 7, 1858-November 7, 1862.
 James M. Myers-----November 7, 1862; resigned June 16, 1864.
 Benjamin F. Lewis----Appointed June 16, 1864-November 1, 1865.
 John A. Miller-----November 1, 1865-November 3, 1868.
 John Denton -----November 3, 1868-November 3, 1872.
 John O. Cravens-----November 3, 1872-March 6, 1873. The act of March 6, 1873, put Montgomery in the Twenty-second.
 Robert B. F. Peirce---Appointed March 6, 1873-November 3, 1874. The act of March 6, 1873, transferred Peirce from the Eighth to the Twenty-second.

Ared F. White.....	November 3, 1874-November 3, 1876.
David Roach	November 3, 1876-November 3, 1878.
George W. Collings.....	November 3, 1878-November 3, 1880.
John N. Burford.....	November 3, 1880-November 17, 1882.
Frank M. Howard.....	November 17, 1882-February 27, 1885. The act of February 25, 1885, made Montgomery the sole county in the Twenty-second.
Charles Johnston	Appointed February 27, 1885-November 17, 1886.
Albert B. Anderson.....	November 17, 1886-November 17, 1890.
Winfield S. Moffit.....	November 17, 1890-November 17, 1894.
Dumont Kennedy	November 17, 1894-November 17, 1898.
William M. Reeves.....	November 17, 1898-January 1, 1903.
John B. Murphy.....	January 1, 1903-January 1, 1905.
Robert W. Caldwell.....	January 1, 1905-January 1, 1907.
Harry N. Fine.....	January 1, 1907-January 1, 1911.
Ira Clouser	January 1, 1911-January 1, 1915.
Walter H. Linn.....	January 1, 1915; term expires January 1, 1917.

MORGAN COUNTY.

Morgan county was organized by an act of the Legislature, approved December 31, 1821, which became effective on February 15, 1822. Martinsville, which was selected as the county seat, was named in honor of James Martin, the senior member of the commissioners selected by the state to choose the seat of justice. The first session of the Morgan Circuit court was begun at the house of Jacob Cutler on the 25th of March, 1822, with Judge William W. Wick on the bench. John Gray and Jacob Cutler as Associate Judges. The second session of the court convened at the house of Jacob Cutler on September 23, 1822, with John Gray and Jacob Cutler as Associate Judges, but adjourned to meet at the house of George H. Beeler in the town of Martinsville. The third term was held in the new court house in Martinsville on April 1, 1823, with Judge Wick presiding, and John Gray and Jacob Cutler, as Associate Judges.

In March, 1857, orders were issued for advertising for bids to erect either a combined court house and jail, or each to be built separately, the total cost not to exceed thirty thousand dollars. The contract was awarded to Perry M. Blankenship at about that price, the jail and court house to be built together. The building was completed in 1859, at a cost of

about thirty-two thousand dollars. On March 31, 1876, the records of the county in the offices of the clerk and auditor were largely consumed by fire, supposed to have been done by some rascally official to conceal the evidences of his defalcations or other crimes.

The first session of the Morgan Circuit court convened at the house of Jacob Cutler, on March 25, 1822, with Judge William W. Wick in the chair. He presented his commission from Governor Jennings constituting him President Judge of the Fifth judicial district for the period of seven years from January, 1822. On this commission was the following indorsement:

State of Indiana, Third Judicial Circuit:

Be it remembered that on the 12th day of February, A. D. 1822, personally appeared before me, Miles C. Eggleston, President Judge of the circuit aforesaid, the within named William W. Wick, who, being duly sworn according to law, took the following oaths, to-wit: That he will support the Constitution of the United States, and of the State of Indiana; and that he will, to the best of his ability and judgment, discharge the duties of his office as President Judge of the Fifth Judicial circuit of the state aforesaid faithfully; and that he has not since the 1st day of January, 1819, either directly or indirectly, knowingly given, accepted or carried a challenge to any person in or out of the said state, to fight in single combat with any deadly weapon; and that he will not knowingly give, accept or carry a challenge to any person or persons to fight with any deadly weapon in single combat, either in or out of the state, during his continuance in his said office.

John Gray and Jacob Cutler produced their commissions as Associate Judges. Court was then declared open. The first business transacted was the adoption of a seal for the court, an impression of which was made on the record of the court. Hiram M. Curry, Craven P. Hester and Calvin Fletcher were admitted to practice as attorneys at the court. Fletcher was appointed prosecuting attorney. The first suit was a case in chancery, Jacob Cutler vs. J. M. Cox.

The second session was opened at the house of Jacob Cutler on September 23, 1822, with John Gray and Jacob Cutler Associate Judges. When it was known that a place for holding court had been prepared at Martinsville, the new county seat, the Judges ordered an adjournment of the court to the

house of George H. Beeler, in the town of Martinsville. Daniel B. Wick and James Whitcomb were admitted to the bar.

The third term of court convened at the court house in Martinsville, on April 1, 1823, before Judge Wick, and John Gray and Jacob Cutler, Associate Judges. Cephus D. Morris, Harvey Gregg, John Adams, Breckenridge Smith, Bethuel F. Morris, Elkin Naylor and Isaac Naylor were admitted to the bar. Thirty cases came before the court at this session, the greater number being for assault and battery. J. A. Breckenridge was appointed prosecuting attorney, vice Fletcher, who was in ill health.

The October session, 1823, was held at the house of G. H. Beeler. Judges Wick, Gray and Cutler were present. Edgar A. Wilson and Daniel Goodwin were admitted to the bar. In March, 1824, the court convened at the court house. Gabriel J. Johnson and Hiram Brown were admitted to the bar. In 1823 Edgar A. Wilson was admitted, also Daniel Goodwin; Hiram Burris in 1824; T. F. G. Adams, Michael G. Bright and Philip Sweetzer, 1824; James Braman, Andrew C. Griffith, W. W. Wick and Hiram Brown and Henry Hurst in 1825; Henry P. Coburn, James Forsee, Benjamin Bull and William Herod in 1826; James Morrison in 1829; Tighlman A. Howard in 1831; G. F. Waterman and W. O. Ross, 1832; Ovid Butler, 1835; John Hutchen and Mason Hutlett in 1837; Harvey Brown, 1838; Henry Seacrest and Algernon S. Briggs, 1839.

The first session of the Probate court was begun at the house of George A. Preston on May 2, 1822, before Jacob Cutler and John Gray, Associate Judges of the Circuit court, who proceeded to appoint Jonathan Watkins as county commissioner to fill the vacancy occasioned by the resignation of Larkin Reynolds. No other business was transacted at this session. The first Probate court held at the court house was in September, 1825. Probate business was done by the Associate Judges of the Circuit court until 1829, at which time the first Probate Judge, John Matthews, took charge of the court.

ASSOCIATE JUDGES.

Jacob Cutler.....March 13, 1822; resigned March, 1827.
John Gray.....March 13, 1822; resigned November, 1824.

Samuel Reed.....	December 2, 1834, vice John Gray, resigned. Samuel Reed removed from county November, 1826.
Jared Olds.....	January 12, 1827, vice Samuel Reed, resigned.
James Burns.....	May 5, 1827, vice Jacob Cutler, resigned.
James Burns.....	August 14, 1828, to serve seven years from March 15, 1829.
Hiram Matthews.....	August 14, 1828, to serve seven years from March 15, 1829.
Jonathau Huffman.....	August 12, 1834, vice James Burns (resigned), to serve seven years from March 15, 1829.
Jesse S. Rooker.....	August 11, 1835, to serve seven years from March 15, 1836.
Jonathan Huffman.....	August 11, 1835, to serve seven years from March 15, 1836; removed from county January, 1842.
George Miller.....	August 5, 1842 (special election), vice Jonathan Huffman, removed from county.
Jesse S. Rooker.....	August 6, 1842, to serve seven years from March 15, 1843; died August, 1843.
Thomas McClure.....	August 6, 1842, to serve seven years from March 15, 1843.
Hiram Matthews.....	November 1, 1843, vice Jesse S. Rooker (resigned), to serve seven years from March 15, 1843.
William Landers.....	August 22, 1849, to serve seven years from March 15, 1850.
Hiram Matthews.....	August 22, 1849, to serve seven years from March 15, 1850.

PROBATE JUDGES.

John Matthews.....	August 18, 1829; resignation filed August 17, 1833.
Benjamin Bull.....	August 17, 1833, appointed to serve until first Monday in August, 1834.
Solomon Durregan.....	August 7, 1834, to serve seven years from August 1, 1834.
Hiram Matthews.....	August 10, 1838.
Algernon S. Griggs.....	August 7, 1841.
George F. Waterman.....	July 3, 1844, appointed vice Algernon S. Griggs (resigned), to serve until August election, 1844.
George F. Waterman.....	August 17, 1844.
John W. Richards.....	August 19, 1846, to serve seven years from date.

COMMON PLEAS JUDGES.

William G. Quick.....	1852-56.
George A. Buskirk.....	1856-64.
Oliver J. Glessner.....	1864-68.
Thomas W. Woollen.....	1868-70, resigned.
Richard L. Coffee.....	Appointed October 15, 1870-73.

DISTRICT PROSECUTING ATTORNEYS.

- Daniel M. McClure.....1852-53, resigned.
 Thomas L. Perry.....Appointed December 20, 1853-56.
 A. D. Cuning.....1856-57, resigned.
 Thomas L. Perry.....Appointed October 30, 1857-58.
 E. K. Millen.....1858-60, resigned.
 Stephen Thresher.....1860-61, resigned.
 James Harrison.....Appointed January 7, 1861-62.
 David D. Banta.....1862-64.
 Kendall M. Hord.....1864-66.
 Francis M. Conner.....1866-68.
 James A. Reeves.....1868-69, resigned.
 William C. Sandifer....Appointed May 24, 1869-70.
 George W. Workman....1870-72.
 James A. Jordan.....Appointed August 21, 1872.
 Charles W. Snow.....1872-73.

PRESIDENT JUDGES.

- William W. Wick.....February 15, 1822-January 20, 1825, resigned.
 Fifth circuit.
 Bethuel F. Morris.....January 20, 1825-December 4, 1834, resigned.
 William W. Wick.....December 4, 1834-August 2, 1839, resigned.
 James MorrisonAppointed August 2, 1839-January 26, 1842. The
 act of January 28, 1839, organized the Tenth cir-
 cuit, and the act of January 26, 1842, put Morgan
 in this circuit.
 David McDonaldJanuary 26, 1842-October 12, 1852.

CIRCUIT JUDGES.

- James HughesOctober 12, 1852; resigned July 2, 1856. Sixth
 circuit.
 Ambrose B. Carlton....Appointed July 2, 1856-October 30, 1856.
 James M. Hanna.....October 30, 1856; resigned, December 18, 1857.
 Solomon ClaypoolAppointed December 21, 1857-November 6, 1864.
 Delana R. Eckles.....November 6, 1864-November 6, 1870.
 William M. Franklin...November 6, 1870-November 6, 1876. The act of
 March 6, 1873, put Morgan in the Fifteenth and
 transferred Franklin from the Sixth to the Fif-
 teenth.
 John C. Robinson.....November 6, 1876-November 14, 1882.
 Ambrose M. Cumming...November 14, 1882-November 14, 1888.
 George W. Grubbs.....November 14, 1888-November 14, 1900.
 Milton H. Parks.....November 14, 1900-February 6, 1904.

Judge Parks was stricken with paralysis in the summer of 1903 and became unable to attend to his duties on the bench. The governor appointed Joseph W. Williams, who filled out the unexpired term of Judge Parks.

Joseph W. Williams---Appointed February 6, 1904-November 16, 1912.
The act of March 4, 1911, made Morgan the sole county in the Fifteenth, where it has since remained.

Nathan A. Whitaker---November 16, 1912; term expires November 16, 1918.

PROSECUTING ATTORNEYS.

Harvey Gregg -----August 9, 1824-August 9, 1825. Fifth circuit.

Calvin Fletcher -----August 9, 1825-August 14, 1826.

James Whitecomb -----August 14, 1826-January 14, 1829.

W. W. Wick-----January 14, 1829-December 15, 1830, resigned.

Phillip Sweetzer -----December 15, 1830-March 10, 1831, resigned.

Hiram Brown -----Appointed March 10, 1831-December 12, 1831.

Harvey Gregg -----December 12, 1831-April 11, 1833.

William Herod -----Appointed April 11, 1833-December 9, 1836.

William Quarles -----December 9, 1836-January 28, 1839. The act of
January 28, 1839, put Morgan in the Tenth.

John I. Watts-----February 1, 1839-February 1, 1843.

William G. Quick-----February 1, 1843-February 1, 1845.

Craven P. Hester-----February 1, 1845-February 1, 1849.

William M. Franklin--August 23, 1851-October 12, 1852.

William E. McLean---October 12, 1852-November 7, 1854. Sixth circuit.

Ambrose B. Carlton---November 7, 1854-April 3, 1855, resigned.

Theodore Read -----Appointed April 3, 1855-August 2, 1855, resigned.

Francis L. Neff-----Appointed August 6, 1855-November 2, 1856.

Milton A. Osborn-----November 2, 1856-November 6, 1858.

Isaac N. Pierce-----November 6, 1858-November 6, 1860.

Willis G. Neff-----November 6, 1860-November 6, 1864.

Michael Malott -----November 6, 1864-November 6, 1866.

Jacob S. Broadwell---November 6, 1866-November 6, 1868.

John C. Robinson---November 6, 1868-November 1, 1872.

Courtland C. Matson--November 1, 1872-March 6, 1873. The act of March
6, 1873, put Morgan in the Fifteenth.

Henry Burns -----Appointed March 12, 1873-October 29, 1873.

Ambrose M. Cuning---October 29, 1873-October 29, 1877.

Samuel O. Pickens---October 29, 1877-October 29, 1881.

John D. Alexander---October 29, 1881-February 24, 1883.

Frank A. Phelps-----Appointed February 24, 1883-November 15, 1884.

Edwin M. McCord---November 15, 1884-November 15, 1886.

William R. Asher---November 15, 1886-November 15, 1888.

William H. Beaman---November 15, 1888-April 7, 1890.

Edward S. Davis---April 7, 1890-April 7, 1894. Elected at a special
election on April 7, 1890.

Joseph W. Williams---April 7, 1894-April 7, 1898.

Homer L. McGinnis---April 7, 1898-April 7, 1900.

John E. Sedgwick---April 7, 1900-January 1, 1903.

- Homer L. McGinnis___January 1, 1903-January 1, 1905.
 Eller E. Pryor_____January 1, 1905-January 1, 1907.
 Homer L. Moss_____January 1, 1907-January 1, 1909.
 Elam M. McCord_____January 1, 1909-January 1, 1913. The act of
 March 4, 1911, made Morgan the sole county in the
 Fifteenth, where it has since remained.
 Frank G. Rariden_____January 1, 1913-January 1, 1915.
 Edwin McCracken ____January 1, 1915; term expires January 1, 1917.

In the election of 1888 William R. Asher and William H. Beaman were the opposing candidates for prosecuting attorney. The election board decided that Beaman was elected by a majority of sixteen votes, but, a recount being demanded, Asher was declared elected by a majority of three votes. The case was appealed to the court and tried before Judge Howland, the court holding that the election was a tie. The finding of the court was certified to Governor Hovey and he ordered a special election held on April 7, 1890, the day of township election. Neither Beaman nor Asher were candidates, the Republicans nominating M. Mathews and the Democrats, Edward S. Davis. The Democratic candidate was elected. All three of these prosecutors—Asher, Beaman and Davis—are deceased.

NEWTON COUNTY.

Newton county was the last one organized in Indiana and did not make its formal debut until December 9, 1859. An effort had been made to organize it in 1839, but the population was too scanty to justify the creation of an independent county and the following year it was consolidated with Jasper and remained a part of that county for the next twenty years. In the latter part of the fifties the population of the territory now comprehended within Newton county became sufficiently numerous to warrant the creation of a separate county. In 1857 it became known throughout that section of the state that an effort was being made to form a new county out of the western part of Jasper with a county seat somewhere on the Kankakee river.

Then followed what is probably the most exciting effort which the state has ever seen in an effort to organize a county.

The citizens of Jasper county living west of range 7 at once called a meeting at Morocco and resolved to petition the commissioners of Jasper county to set off a new county to be known as Beaver. Afterward, but at the same meeting, the name of the proposed county was changed to Newton. The petition as presented at the September meeting of the commissioners carried the name of nearly every voter of the western half of Jasper. The citizens of the other half of Jasper protested against the division of the county, and two days later the petition was dismissed on the ground that some of the names had been attached to the petition before the law authorizing a division had taken place.

But the citizens of the proposed county were not to be denied. Within twenty-four hours horsemen were despatched throughout the proposed county with the result that a second petition was ready the following morning to lay before the commissioners, representing an overwhelming majority of the citizens. Although the board had adjourned to meet on the following morning, when the petition was ready to be handed in, the commissioners heard of the desperate efforts of the citizens of the western half of the county and failed to show up. Nothing was done now until the December meeting, when the Kankakee people presented a counter petition to organize a county with a county seat on the Kankakee. But their petition was at once dismissed and the Newton county petition granted. An appeal was taken to the Circuit court, and later to the Supreme court, where the citizens of the proposed Newton county were sustained. This decision was handed down in November, 1859, and on December 8, 1859, the commissioners of Jasper county made the final order on their records defining the boundaries of the new county. Kent, a town two miles from the southern line of the county, was made the county seat. Morocco, Brook, Beaver City, and a point about three miles east of Morocco, were also considered by the commissioners.

Since 1860 there have been nine efforts to locate the county seat at a more central point. Taking advantage of the act of March, 1855, whereby a county seat may be relocated upon a petition of two-thirds of the legal voters of a county, the ad-

vocates of Beaver City presented such a petition to the commissioners on September 6, 1860. They had already erected a court house on the proposed site, an exact duplicate of the one at Kent. The commissioners ruled that the petition did not have the necessary two-thirds and dismissed the petition. The town of Brook made the second effort to secure the coveted honor and on June 3, 1861, presented a petition which they claimed contained two-thirds of the voters, but they were overruled on the ground that many of the signers had joined the army and were therefore not legal voters. Beaver City tried again on May 17, 1869, to get the county seat, but two days later their petition was dismissed. Morocco made the fourth attempt on March 10, 1870, but withdrew its petition for some cause, not disclosed, on the following day. Two years later Brook again appeared in the field and on December 24, 1872, presented a petition bearing nine hundred and two names, but it was set aside the day following. Morocco must have had some energetic citizens, for on June 19, 1876, they started a determined fight and were not defeated until the case had been carried from the commissioners' court to the Newton Circuit court, from there to the Jasper Circuit court, thence to the Tippecanoe Circuit court, and finally, to the Supreme court of the state.

These six attempts had been made under the law of 1855 and no further efforts were made to secure relocation until after the law of March 2, 1899. The law was backed by the people of Morocco and provided that an election for or against relocation shall be held upon the petition of four hundred legal voters, two hundred of whom must have been freeholders at the last general election. If sixty-five per cent. of the voters favor relocation, the change must be made. Backed by this act, the citizens of Morocco presented, on April 2, 1900, a petition in accordance with the act, and an election was held on June 19, 1900. The vote stood 1,515 for relocation and 1,415 opposed to a change. Since the petitioners had failed to secure the necessary sixty-five per cent. of the vote cast, the county seat remained at Kentland. Brook made the eighth attempt with a petition presented July 3, 1900. The election was held September 5, 1900, at which time 1,337 votes were

cast for relocation and 1,208 against it. And Kentland still remained the county seat. The ninth and last attempt was made by Goodland in the same year. On October 1, a petition was presented in accordance with the law of 1899, and the commissioners set the election for January 30, 1901. The Kentland people took an appeal to the Circuit court, which sustained the commissioners. The case was carried to the Supreme court and on March 19, 1902, it sustained the action of the Circuit court, and ordered the commissioners to fix another date for election. They selected June 7, 1902, and at that time 1,834 votes were cast for relocation and 697 against the same. Kentland had apparently been beaten at last, for the necessary sixty-five per cent. was in favor of removing the county seat to Goodland. But the end was not yet. The case was taken from the commissioners' court to the Newton Circuit court, from there it was venued to White county, from White county it was carried to the Supreme court of the state and the latter, in November, 1903, in a lengthy decision decided in favor of Kentland.

In order to forestall such a close call again, Kentland began to agitate the question of a new court house and on April 3, 1905, a contract was let for a new court house to cost twenty-six thousand one hundred and ninety-five dollars. The advocates of relocation now made their last desperate fight and tried by every legal means to stop the erection of the proposed building. The case finally reached the Supreme court and a decision of that court on June 30, 1905, stopped everything. By this time the building was started, the foundation laid and the side walls up to the second story. Another year of legal warfare ensued, but the building was finally completed and turned over to the county on August 6, 1906. Kentland now bids fair to hold the county seat for several years to come without having to undergo any effort to retain it.

Since Newton county was not organized until after the adoption of the new Constitution, the historian has no record to make of President, Associate or Probate Judges. When the county was organized it was attached to the Twelfth judicial circuit, which, at that time, was presided over by Charles H. Test. The first session of the Circuit court of the county

met August 27, 1860, at Kent, the newly selected county seat. It could hardly be called a town, since it contained only one store, one dwelling house and two unfinished store buildings. One of these unfinished store buildings was donated for a temporary court house and in this building one room was fitted up which served for all of the county officers.

The first Judge of the Newton Circuit court was Judge Charles H. Test, of Indianapolis, who served from 1860 to March, 1870. Judge Test was very fond of tobacco and some of the old residents of Kentland today tell how delectably he used to chew in the court room. If tradition is not unreliable, he was also very fond of poker. Stories are yet told of the games on the shores of Beaver lake where Judge Test frequently went hunting with Thomas Barker, an old settler in the northern part of Newton county; Thomas Hunter, who lived on Beaver lake, and Madison Collins, one of the backwoods attorneys of the day. Judge Test boarded at the hotel kept by Alexander J. Kent and it is maintained to this day that court not infrequently was delayed because of the Judge's interest in a poker game at the hotel. Madison Collins is said to have succeeded in acquitting a man living on Beaver lake of the charge of hog stealing on the ground that hog stealing was a custom of the country and in no sense a crime.

David P. Vinton, of Lafayette, presided over the court from 1870 to March, 1873. The Legislature in 1873 redistricted the state and Newton county was made a part of the Thirtieth circuit. Judge E. P. Hammond, who was appointed Judge of the Thirtieth judicial district by Gov. Thomas A. Hendricks, held his first term of court in Newton county in June, 1873. Judge Hammond having been appointed to the Supreme court of Indiana in 1883, Gov. Albert G. Porter appointed Peter H. Ward to succeed Judge Hammond at the beginning of the May, 1883, term of the Newton Circuit court.

Edwin P. Hammond served again from 1890 to 1892, resigning in August of the latter year to form a partnership with Charles B. and William V. Stuart, at Lafayette, under the firm name of Stuart Brothers & Hammond. U. Z. Wiley was appointed to fill the unexpired term of Hammond, but resigned before the expiration of his term. William Darroch

served by appointment less than a month (October 13-November 10, 1896). Simon P. Thompson was on the bench for a six-year term beginning November 10, 1896. During his term the act of February 24, 1899, constituted Newton and Jasper as the sole counties of the Thirtieth circuit. Charles W. Hanley, the present Judge of the circuit, has been on the bench since November 10, 1902. His present term will expire November 10, 1920.

COMMON PLEAS JUDGES.

William R. Boyer.....1859-60.
 William C. Talcott.....1860-68.
 Hiram A. Gillett.....1868-73.

DISTRICT PROSECUTING ATTORNEYS.

R. S. Dwiggins.....1860-62.
 Oliver W. Ray.....1862-64.
 James Burson1864-66.
 Elisha C. Fields.....1866-68.
 William H. Martin....1868-70.
 William T. Horine....1870-72.
 Newton T. Bozart....1872-73.

CIRCUIT JUDGES.

Charles H. Test.....December 9, 1859-October 24, 1870. Twelfth circuit.
 David P. Vinton.....October 24, 1870-March 6, 1873. The act of March 6, 1873, put Newton in the Thirtieth.
 Edwin P. Hammond...Appointed in March, 1873; resigned in May, 1883, to accept seat on Supreme bench.
 Peter H. Ward.....Appointed May 21, 1883-November 14, 1890.
 Edwin P. Hammond...November 14, 1890; resigned in August, 1892.
 Ulric Z. Wiley.....Appointed August 31, 1892; resigned, October 12, 1896.
 William DarrochAppointed October 13, 1896-November 10, 1896.
 Simon P. Thompson...November 10, 1896-November 10, 1902. The act of February 24, 1899, constituted Newton and Jasper the Thirtieth, where they have since remained.
 Charles W. Hanley...November 10, 1902; term expires November 10, 1920.

PROSECUTING ATTORNEYS.

John L. Miller.....December 9, 1859-November 3, 1862. Twelfth circuit.
 William D. Lee.....November 13, 1862-November 3, 1864.
 Frank B. Everett.....November 3, 1864-November 3, 1868.
 James M. Justice.....November 3, 1868-November 3, 1870.

- Frank B. Everett.....November 3, 1870-November 3, 1873.
 Simon P. Thompson....November 3, 1872-November 3, 1876. The act of March 6, 1873, put Newton in the Thirtieth. This act transferred Thompson from the Twelfth to the Thirtieth.
 Henry S. Travis.....November 3, 1876-November 3, 1878.
 Frank W. Babcock....November 3, 1878-November 3, 1880.
 David L. Bishop.....November 3, 1880-November 17, 1882.
 Mathew H. Walker....November 17, 1882-November 17, 1886.
 Ralph W. Marshall....November 17, 1890-November 15, 1894.
 John T. Brown.....November 17, 1890-November 15, 1894.
 T. C. Annabel.....November 15, 1894; died after taking office.
 James W. Douthitt....Appointed March 30, 1895-November 17, 1896.
 Albert E. Chizum.....November 17, 1896-April 1, 1899, resigned. The act of February 24, 1899, constituted Newton and Jasper the Thirtieth, where they have since remained.
 Charles E. Mills.....Appointed April 21, 1899-January 1, 1901.
 John D. Sink.....January 1, 1901-January 1, 1905.
 Robert O. Graves.....January 1, 1905-January 1, 1909.
 Fred H. Longwell....January 1, 1909-January 1, 1915.
 Reuben HessJanuary 1, 1915; term expires January 1, 1917.

NOBLE COUNTY.

Noble county was organized by the Legislature with the act of January 23, 1836, the act becoming effective on the first of the following month. The county has had its full share of trouble in the matter of county seats, the trouble being largely due to the swampy character of the county and its slow settlement. The locating commissioners named in the organization act made their report on May 3, 1836. They chose a site in Sparta township on the old Fort Wayne and Goshen trail, in section 24, township 34 north, range 8 east. The town was given the classical name of Sparta (now called Kimmell), but it was not destined to retain its honors very long. No public buildings were ever erected there. Its location in the western part of the county and the desire for a more central site led the citizens to petition the Legislature for an act authorizing the removal of the county seat nearer to the center of the county. The Legislature granted their petition and passed the act of February 4, 1837, naming five commissioners to relocate the seat of justice. They met on July 3, 1837, at the

house of Patrick C. Miller at Wolf Lake, and proceeded to examine the different sites offered. Several new towns had been laid out and all were anxious to secure the coveted honor. Sparta, of course, wanted to be again considered; Van Buren, in York township, was an aspirant; Wolf Lake, the first town laid out in the county, was another; Augusta and Port Mitchell also had followers. Each offered inducements to secure the seat of justice. After looking them all over, the commissioners finally selected Augusta, two miles west of the present town of Albion. This location seemed to give general satisfaction because of its central location, and a court house and jail were immediately built there. Until the buildings should be erected at the new location, the Legislature ordered all courts to be held at Wolf Lake.

There is but little doubt that the county seat would have remained at Augusta had not the court house been destroyed by fire on March 25, 1843. The records of the auditor, clerk and treasurer were burned and this has rendered it very difficult to write an authentic record of the early judicial history of the county. At this juncture Port Mitchell made a determined effort to secure a legislative act authorizing a relocation of the county seat. The Legislature was acquiescent and a bill was passed January 13, 1844, providing for a commission to relocate the troublesome seat of justice. Port Mitchell must have had some very influential citizens, since they succeeded in convincing the locating commissioners that they had the best site. The first Monday in March, 1844, was a day of rejoicing in Port Mitchell, for on that day the commissioners selected their town as the future county seat. Visions of their coming greatness floated before them—brick buildings arose, a court house was erected, and the town boomed with industry—in the minds of the citizens of Port Mitchell.

But their joy was short-lived. Just two years later (January 10, 1846) the Legislature was induced to pass a bill providing for a vote on the relocation of the county seat. The act provided for an election on the first Monday of April, 1846, at which the voters should write on their ballots the

name of the place where they wished the county seat to be located. Then a second election was to be held on the first Monday of June, when the names of the three receiving the highest number of votes in the April election were to be voted on. A third and deciding vote was to be taken on the first Monday of August, at which time the two places receiving the highest number of votes in the June election were to be voted on. Noble county probably never had a more exciting summer than that of 1846. Speeches were made, special songs were composed, and even parades were added to the campaign. At the April election votes were cast for Port Mitchell, Augusta, Center, Rochester, Ligonier, Springfield, Lisbon, Northport and Wolf Lake. The three highest were Port Mitchell, Augusta and Center. At the June election Center led the field and Port Mitchell beat Augusta by two votes. The whole county now lined up behind one or the other of the two towns. Augusta, indignant at what it called unfair tactics on the part of Port Mitchell in the previous election, threw its strength to Center, with the result that Center won the county seat. The name of the new county seat was changed from Center to Albion within the first year of its official career. On September 16, 1847, the formal transfer of records and offices was made to Albion. Here the county seat has remained, although several efforts have been made to remove it and, so some people in the county say, one court house has been sacrificed in the struggle. The court house at Albion was burned down January 24, 1859, and the circumstances surrounding the catastrophe seemed to indicate that it was the work of incendiaries. A new court house was ordered immediately and was ready for occupancy in 1861. The construction of the Baltimore & Ohio railroad through Albion in 1874 has probably settled the question of any further changes.

Owing to the fire which destroyed the county records on January 24, 1859, it has not been possible to obtain definite records in regard to the first courts of the county. Samuel C. Sample, who was Judge of the first Circuit court which met in the county in September, 1836, gave it as his opinion several years later that the first court was held in the shade of a large oak tree and presumably this tree stood on the site of Sparta.

ASSOCIATE JUDGES.

- James Latta ----- May 29, 1836, to serve seven years from date. Removed from county, June, 1841.
- Elisha Blackman ----- May 29, 1836, to serve seven years from date.
- Thomas H. Wilson ----- August 21, 1841 (special election), vice James Latta (removed from county), to serve seven years from May 29, 1836.
- Edwin Randall ----- August 18, 1843, to serve seven years from date.
- Jacob Stage ----- August 18, 1843, to serve seven years from date.
- David Simons ----- August 20, 1850, to serve seven years from August 18, 1850.
- Edwin Randall ----- August 20, 1850, to serve seven years from August 18, 1850.

PROBATE JUDGES.

- Horatio M. Slack ----- August 30, 1844.
- Henry R. Burnam ----- October 28, 1845, vice Horatio M. Slack, resigned.
- Henry R. Burnam ----- August 28, 1846, to serve seven years from date.
- Harrison Wood ----- January 10, 1849, vice Henry R. Burnam, removed from county.
- Harrison Wood ----- September 1, 1849, to serve seven years from date.

COMMON PLEAS JUDGES.

- Stephen Wildman ----- 1852-56.
- James C. Bodley ----- 1856; resigned, October 10, 1859.
- Sanford J. Stoughton --- Appointed October 10, 1859-October 25, 1860.
- William M. Clapp ----- 1860-73.

DISTRICT PROSECUTING ATTORNEYS.

- Isaiah B. McDonald --- 1852-54.
- S. J. Stoughton ----- 1854-55.
- Vincent C. Mains ----- 1855-57.
- Alexander T. Douglas --- 1857-59.
- Oscar P. Hewey ----- 1859-60.
- George W. Cummings --- 1860-62.
- Lewis Covill ----- 1862-64.
- Asa M. Tiuker ----- 1864-68.
- Joseph B. Morton ----- 1868-73.

PRESIDENT JUDGES.

- Gustavus A. Everts --- March 1, 1836-July 5, 1836, resigned. Eighth circuit.
- Samuel C. Sample ----- Appointed July 5, 1836-December 30, 1836, transferred to the Ninth.
- Charles W. Ewing ----- Appointed December 10, 1836-September 1, 1839, resigned.
- Henry Chase ----- Appointed September 1, 1839-December 15, 1839.
- John W. Wright ----- December 15, 1839-December 14, 1841. The act of December 14, 1841, put Noble in the Twelfth.

James W. Borden-----December 15, 1841-October 12, 1852.

Although Gustavus A. Everts was commissioned as the first judge of Noble county, he never held a term of court in this county.

CIRCUIT JUDGES.

Elza A. McMahon-----October 12, 1852; resigned, August 15, 1855. Tenth circuit.

James L. Worden-----Appointed August 15, 1855; resigned January 18, 1858, to become Judge of the Supreme court.

Reuben J. Dawson-----Appointed January 18, 1858-October 26, 1858.

Edward R. Wilson-----October 26, 1858-October 26, 1864.

Robert R. Lowry-----October 26, 1864-February 20, 1867. The act of February 20, 1867, put Noble in the Fourteenth.

Hiram S. Tousley -----Appointed February 28, 1867-October 30, 1872.

James I. Best-----October 30, 1872; resigned, September 1, 1876. The act of March 6, 1873, put Noble in the newly created Thirty-fifth, and transferred Best from the Fourteenth to the Thirty-fifth.

Joseph A. Woodhull----Appointed September 1, 1876-October 24, 1876.

Hiram S. Tousley-----October 24, 1876-November 16, 1882. The act of March 31, 1879, left Noble as the sole county of the Thirty-fifth circuit, and it so remained until October 1, 1880, when Steuben and Dekalb were put back in the circuit.

Robert W. McBride-----November 16, 1882-November 16, 1888.

Stephen A. Powers-----November 16, 1888-March 1, 1889. The act of March 1, 1889, put Noble in the Thirty-third with Whitley, where they have since remained.

Joseph W. Adair-----March 1, 1889-November 17, 1908. Judge Adair had been on the bench of the Thirty-third since December 31, 1888.

Luke H. Wrigley-----November 17, 1908; term expires November 17, 1920.

PROSECUTING ATTORNEYS.

Samuel C. Sample-----March 1, 1836-July 5, 1836, resigned. Eighth circuit.

Joseph L. Jernegan-----Appointed July 5, 1836-December 10, 1836. Transferred to the Ninth.

Thomas Johnson -----December 10, 1846-December 3, 1838.

John W. Wright-----December 3, 1838-December 5, 1839.

Lucian P. Ferry-----December 5, 1839-December 15, 1841.

Spier S. Tipton-----December 15, 1841-December 15, 1843.

William Z. Stuart-----December 15, 1843-December 15, 1845.

David M. Dunn-----December 15, 1845-December 15, 1847.

William Potter -----August 23, 1849-August 28, 1851, resigned.

- George E. Gordon-----Appointed August 28, 1851; resigned, September 15, 1852.
- John M. Wilson-----Appointed September 15, 1852-October 12, 1852.
- John M. Coinell-----October 12, 1852-January 27, 1853. Tenth circuit.
- Joseph Brackenridge --Appointed January 27, 1853; refused to accept office.
- James L. Worden-----Appointed February 17, 1853; resigned, February 1, 1854.
- Edward R. Wilson-----February 1, 1854-August 1, 1856, resigned.
- Sanford J. Stoughton--Appointed August 20, 1856-December 6, 1858.
- James M. Defrees-----December 6, 1858; died, May, 1859.
- John Colerick -----Appointed May 10, 1859-October 26, 1860.
- Augustus A. Chapin ---October 26, 1860-November 3, 1862.
- James H. Schell-----November 3, 1862-November 3, 1866.
- Thomas W. Wilson-----November 3, 1866-February 20, 1867. The act of February 20, 1867, put Noble in the Fourteenth.
- James H. Carpenter---Appointed March 7, 1867-October 30, 1867.
- Ezra D. Hartman-----October 30, 1867-October 24, 1870.
- James McGrew -----October 24, 1870-May 20, 1872.
- Leigh H. Haymond----Appointed May 20, 1872-October 28, 1873. The act of March 6, 1873, put Noble in the newly created Thirty-fifth, and transferred Haymond from the Fourteenth to the Thirty-fifth.
- W. B. McConnell-----October 28, 1873-October 28, 1877.
- John W. Bixler-----October 28, 1877-October 28, 1879.
- George B. Adams-----October 28, 1879-October 28, 1881.
- Henry C. Peterson-----October 28, 1881-October 28, 1887.
- Emmet A. Bratton-----October 28, 1887-March 1, 1889. The act of March 1, 1889, put Noble in the Thirty-third with Whitley, where they have since remained.
- John C. Wigert-----Appointed March 1, 1889-October 22, 1891.
- Lorenzo D. Fleming----October 22, 1891-November 17, 1894.
- William A. Glatte-----November 17, 1894-November 17, 1896.
- Samuel E. Alvord-----November 17, 1896-November 17, 1898.
- David V. Whiteleather--November 17, 1898-January 1, 1903.
- William H. Kissinger--January 1, 1903-January 1, 1905.
- Philemon B. Green-----January 1, 1905-January 1, 1907.
- Wier D. Carver-----January 1, 1907-January 1, 1911.
- William H. Spangler---January 1, 1911-January 1, 1915.
- Henry F. Helwig-----January 1, 1915; term expires January 1, 1917.



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